Master Thesis

A Comparative Study of the My Lai and Bialystok Massacres

The Social Mechanisms of Perpetration and their Causal Determinants

Emil Ditlev Ingemann Kjerte

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Abstract
This thesis offers a comparative study of the My Lai massacre perpetrated by American soldiers during the Vietnam in War and the massacre in Bialystok carried out by a police unit operating under the Nazi regime. Using theories from social psychology in combination with a careful scrutiny of sources from criminal investigations, it seeks to elucidate the social mechanisms of perpetration in the two cases and explores how their divergent macro-level contexts facilitated distinctions in the perpetrator’s behavioural patterns and motivations. The study demonstrates that despite commonalities at the micro level, the massacres were organized in distinctive ways, featured divergent perpetrator behavioural patterns and encompassed disparities in the number of abstainers due to different macro-level contexts. The thesis provides explanations for these case variations, and it argues that new insight into the phenomenon of perpetration can be gained by adopting a comparative perspective.
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Introduction

Within the two last decades there has been a surge of interest in exploring genocide and mass violence from a micro level approach, and a focal point of attention has been the hands-on perpetrators, and the perennial question surrounding their motivation for murdering civilians. However, comparative studies at this level have not appeared in abundance. While macro-level genocide studies often are explicitly comparative, this perspective has not made much headway at the local level. When assessing the micro-level literature on perpetrators, political scientists Evgeny Finkel and Scott Straus have noted an absence of systematic comparisons across countries and time periods. Furthermore, they argue that micro-level perpetrator research would benefit from paying more attention to variation between cases and underline that it remains to be assessed if perpetrator group compositions and forms of motivation differ between genocides and violence of a lower magnitude.¹

This paper strives to make a contribution to address this shortcoming. It will do so by analysing and comparing a massacre that took place in a counter-insurgency setting with an atrocity that took place amidst a war with a genocidal element. The first case is the infamous My Lai massacre. This atrocity happened on 16 March, 1968, in the context of an American military operation during the war in Vietnam where soldiers from C Company, 1st Battalion, 11th Brigade, Americal Division, murdered between 400 and 430 South Vietnamese civilians in the hamlet Xom Lang (referred to as My Lai 4 by the American soldiers) in the Son My village complex, Quang Ngai province. The second case is the massacre in Bialystok which took place on 27 June, 1941, in the initial phase of Nazi Germany’s self-proclaimed “War of Annihilation” against the Soviet Union; a campaign which marked the onset of the regime’s effort to systematically murder every single Jew within its sphere of interest. The perpetrators were servicemen from Order Police Battalion 309 who shot several Soviet prisoners of war and hundreds of Jews upon arrival in the city. The violence reached a chilling peaking point, when the policemen forced around 700 Jews into the city’s main synagogue where they were burned alive.

Naturally, there are differences in the overall macro-level context surrounding these two atrocities. Without empirical disclosure, it should be clear that the American counter-insurgency strategy in Vietnam and the Nazi Regime’s exterminatory policies were not the

same in terms of the magnitude of the destruction. However, what remains less explored is if and how such macro-level differences also influenced perpetrators at the ground level. In light of this, the position taken is that the selection of cases from dissimilar contexts can aid in shedding new light on perpetration.

To identify the factors which motivated the participants in the massacres to kill, the concept of social mechanism is invoked and has a central place in this study. The reason for this choice is that social mechanisms are useful to apply as analytical tools in narrative comparison as they can be applied to multiple cases. Accordingly, two motivational social mechanisms will be theorized and applied in the empirical analysis: obedience to authority and victim devaluation. Although these analytical entities already have a theoretical underpinning within social psychology, I consider integrating them in a systematic comparative study a novel procedure.

Ultimately, the principal research aim is to identity the causal determinants of the two social mechanisms, explore how the social mechanisms were affected by differences in the overall macro-level context, and to examine if some of their determinants are identical irrespective of such differences.

**Disposition**

Excluding the introduction, this study is divided into three chapters. The following chapter deals with theories and method and its first section offers an overview of the empirical field of perpetrator studies as a general introduction to the topic. In conclusion of this, I argue that new insights can be gained from adopting a comparative approach which so has far been lacking within this type of research. This will be followed by the theoretical framework. Here, literature mainly from the field of social psychology will be utilized to theorize the obedience to authority and victim devaluation social mechanisms alongside some conceptual clarifications. Furthermore, the research aim will be calibrated and reformulated into more specific research questions on the basis of the theories. This will be followed by the research design where the considerations which guided the selection of the two cases will be detailed. In the method and methodology section, the primary sources will be introduced and methodological reflections specific to this material will be provided.

Subsequently, the study opens up for the empirical analysis which is divided into three sections. The first two constitute in-depth analyses of the cases and feature information on the wars surrounding the massacres, the composition and members of the perpetrator groups, the
orders given prior to the atrocities and finally an analytical description of the progression and organization of the massacres. The third section is a comparative analysis and forms the theoretical core of this study. Here the social mechanisms will be utilized as analytical tools to explain the similarities and differences between the cases. By discerning the causal determinants of the two social mechanisms, this part of the empirical analysis provides explanations for why the men in the perpetrator group exhibited both differentiated and similar behavioural patterns, and it addresses what motivated them to participate in the massacres or, alternatively, abstaining. Finally, the study concludes with a summation of the main findings.
Theory and Method

Research Overview

Researchers who analyse genocide, ethnic cleansing, and other forms of mass violence from a perpetrator perspective generally explore what motivates the violence, regardless of whether the focus is on macro-level root causes and scope conditions or on the hands-on perpetrators on the ground.

At the macro-level, the conditions which lead to mass killings have been examined mainly by sociologists and political scientists who generally adopt small-N comparative research designs. In this connection, they have provided a multitude of explanations related to pre-existing cleavages; an authoritarian regime type; utopian ideologies; strategic calculations of elites poised to counter real or perceived threats; state crisis; and unstable transitions from authoritarian to democratic rule. However, while the macro-level perspective is essential to give answers to the question of what prompts states, top government actors, and organizations to engage in destructive policies, a contending point is that it is insufficient to grasp what motivates the perpetrators on the ground to participate in these radical policies. Without ignoring the interactions between the micro and macro levels, it has been emphasized that the dynamics and mechanisms at play at the local level do not necessarily mirror the broader factors which lead authorities to target civilians.

In contrast to macro-level comparative research, the micro-level actors involved in the implementation of violent policies have been examined through idiographic studies focusing on perpetrator units or violence in particular localities. As the philosopher and Holocaust expert John Roth notes, a point of contention within this body of literature revolves around the relative weight which should be attributed to dispositional factors versus situational context. Whereas those who stress the importance of the former explanation put stress on endogenous factors”, such as sadism, ideological belief, and out-group hatred, subscribers to

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the latter point of view highlights the importance of exogenous factors, most notably social context, when explaining the actions of perpetrators.\footnote{Paul A. Roth, “Hearts of Darkness: ‘perpetrator History’ and Why There Is No Why”, \textit{History of the Human Sciences} 17, no. 2/3 (2004), 215.}

A dispositional explanation which especially characterized the early research on the Holocaust focused on the psychological individual traits of the perpetrators. In this regard, claims of criminal propensities, personal pathologies, and deviant mentalities were advanced.\footnote{Gerhard Paul, “Von Psychopathen, Technokraten des Terrors und „ganz gewöhnlichen“ Deutschen. Die Täter der Shoah im Spiegel der Forschung”, in \textit{Die Täter der Shoah: fanatische Nationalsozialisten oder ganz normale Deutsche?}, ed. Gerhard Paul (Göttingen: Wallstein, 2002), 16-20.} However, as genocide and mass violence feature a high numbers of participants doubt has been cast on the accuracy of such assumptions. At the same time, it has been argued that the perpetrators are quite normal in the sense that they have different social backgrounds, represent a cross-section of their societies, and are not particularly religious.\footnote{Finkel and Straus, “Macro, Meso, and Micro Research on Genocide”, 62.} Ultimately, the notion that “ordinary” people can become mass-murderers has increasingly become orthodoxy.\footnote{Proponents of this standpoint include: Christopher Browning, \textit{Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland}, Reprint edition (New York: Harper Perennial, 1998); Harald Welzer, \textit{Täter: wie aus ganz normalen Menschen Massenmörder werden} (Frankfurt am Main: Fischer Taschenbuch Verlag, 2007); James Waller, \textit{Becoming Evil: How Ordinary People Commit Genocide and Mass Killing} (New York: Oxford University Press, 2002); Fred E Katz, \textit{Ordinary People and Extraordinary Evil: A Report on the Beguiling of Evil} (Albany: State University of New York Press, 1993).}

In contrast to the simplified portrayal espoused by the early Holocaust literature, the accentuation of the perpetrators’ ordinary social profile has been incorporated within dispositional explanations which focus on ideologically motivated hatred. The most well-known proponent of this viewpoint is the political scientist Daniel Goldhagen who asserted that subscription to “eliminationist” anti-Semitism was the paramount motivational cause for the German executioners of the Holocaust. In Goldhagen’s view, this virulent form of anti-Semitism predated the Nazi regime’s power seizure and pervaded the political culture of the German nation. Moreover, he argued that the vast majority of the country’s population supported the regime’s exterminatory policies; as “willing executioners”, neither duress nor social pressure were necessary to induce these people to kill Jews.\footnote{Daniel Jonah Goldhagen, \textit{Hitler’s Willing Executioners: Ordinary Germans and the Holocaust} (New York: Knopf, 1996).}

While Goldhagen’s view of out-group animosity as an innate national phenomenon finds its equals in primordial explanations centred on deep-seated ethnic hatreds, most scholars take...
a critical stance on such views. Some do, however, retain a focus on the perpetrators’ beliefs and convictions but underline a different mode of acquisition: indoctrination and/or propaganda. This emphasis is not foreign to the findings on war crimes where conditioning through “hate training” has been underlined as having causal relevance.

Still, the correlation between indoctrination and propaganda, and perpetrator motivation remains debated. While it is generally accepted within the Holocaust historiography that the leading officers responsible for the implementation of anti-Jewish policies tended to be politically zealous and closely tied to the regime, it is equally clear that not all lower ranking perpetrators, such as police reservists and army soldiers, fit this profile. In relation to the genocide in Rwanda, Scott Straus documented a similar correlation between indoctrination and degree of participation but underlined that for the majority of the Hutu perpetrators, the circumstantial context of the civil war was more crucial. According to Straus, the war bred insecurity and fear, facilitating the process where even children were subsumed under the category of dangerous enemies.

Straus’ emphasis on the significance of the war context falls within what Roth calls a situational perspective. Attention to vertical pressure and social context characterizes this literature, and in line with this focus the social psychologists Herbert Kelman and Lee Hamilton have referred to the My Lai massacre as a “Crime of Obedience.” Perhaps the most resonating proponents of a situational explanation is the historian Christopher Browning

and his classic study from 1992 on the men from Reserve Police Battalion 101, who were involved in the implementation of the Holocaust in Eastern Poland.\textsuperscript{16}

Zeroing in on the unit’s initiation to murder: the massacre at Jósefów, Browning discussed the question of why the large majority of the reservists complied when faced with the task of killing Jews even though virtually all of them found it psychologically distressful. Since the battalion commander offered the men the chance to abstain from this action, duress was not the cause.\textsuperscript{17} In contrast, Browning found the answer in a multitude of factors. While attributing importance to a general deference to authority and obligation to duty, he argued that a more salient factor for explicating the motivation of the reservists was the pressure of group-conformity: by refusing to take part in the killings, the individual would leave the unpleasant task of shooting to his peers thereby letting them down and risking “isolation, rejection, and ostracism”.\textsuperscript{18}

At the same time, Browning also underlined the significance of the overarching war context. Although the reservists had not been involved in active fighting and combat-induced brutalization was therefore of negligent value, the war nevertheless constituted a conducive environment for the subsuming of their Jewish victims under the enemy category.\textsuperscript{19} Despite noting an overlap between the “deluge of racist and anti-Semitic propaganda” which the German society was exposed to and the “polarizing effects of racial war” in this connection,\textsuperscript{20} he argued that the causal relevance of the perpetrators' political beliefs was relatively limited. Far from embodying the political warrior ideal propagated by the SS, the battalion members were middle-aged drafted family men who had most of their formative years during the pre-Nazi era and only received limited ideological indoctrination.\textsuperscript{21}

In general, the multi-causal explanatory model invigorated by Browning’s study enjoys a very high currency with current perpetrator research. However, there is ground for arguing that this interpretative framework is slowly starting to exhaust itself. Thus, new empirical studies tend to confirm what has already been established: mainly, that perpetrators of genocide and mass violence tend to be neither innate sadists nor indoctrinated fanatics, and that the social pressure intrinsically connected with operating in a close-knit group situated in

\begin{itemize}
\item \textsuperscript{16} Browning, \textit{Ordinary Men}.
\item \textsuperscript{17} Ibid., 57, 69, 71, 170-173.
\item \textsuperscript{18} Ibid., 184-185. See also 71-72
\item \textsuperscript{19} Ibid., 161-162,\textsuperscript{20}
\item \textsuperscript{20} Ibid., 184, 186.
\item \textsuperscript{21} Ibid., 178-184.
\end{itemize}
a war-time climate is highly conducive in catalyzing behavioural patterns which would have been alien to the individual when acting in isolation. In this relation, it is noteworthy that in an assessment of the recent tendencies within the Holocaust perpetrator literature, the historian Alon Confino suggests to rethink circumstantial context as consequence.22 This provides a useful starting point for conceptualizing the interaction between the micro and macro level. What I would argue, specifically, is that a desideratum exists for situating the study of perpetrator motivation within research designs which are adept in capturing the contextual interacting between the macro-level and the actors on the ground and thereby also can explain differences between cases. For these purposes, the comparative method is necessary and through contrasting it is possible to grasp how differences in institutional environments impact clusters of motivation and behavioural patterns at the micro level.

This is not to suggests that the immediate social contexts surrounding perpetration is immaterial and any explanation of perpetrators must take the existing social theories on these aspect into account. Still, a movement in a comparative direction within micro-level perpetrator research requires a deeper engagement with modes of analysis and a probing of how to approach the topic from a more theoretical angle; aspects which will be addressed in the following theoretical framework.

**Theoretical Framework**

The selected theoretical framework is composed of mid-level theories mainly from the field of social psychology. In contrast to broader theoretical perspectives, such as structural functionalism, mid-level theories are useful to apply as aggregated components of empirical inquiry. Their strength is that they are eclectic tools adept in guiding the analysis and can be used both deductively and inductively to elucidate the causality of social phenomena.23 In addition, mid-level theories are commonly tied together in “building-blocks” called mechanisms.24 As the meaning of the term mechanism is debated and not self-evident despite common usage, it is necessary to illuminate what a mechanism is before proceeding.

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Social Mechanisms and Epistemology

According to the sociologist and expert on comparative-historical methods Matthew Lange, a mechanism can be defined as a transformative action or sequence which links a cause to an outcome. The logic is that the cause “induces transformation in a way that generates the outcome”. Furthermore, mechanisms are often referred to as “black boxes” because the transformation they denote is not visible to direct observation. To use an example relevant to the field of Holocaust and Genocide studies, it can be hypothesized that anti-Semitic propaganda was causally determinative of the killing of Jews. However, in line with the black box description the transformation induced by the propaganda cannot be observed directly. Accordingly, mechanisms must necessarily be considered theoretical propositions rather than tangible entities.

Figure 1. Mechanisms as Black Boxes.
Source: Lange, Comparative-Historical Methods, 2013, Process Tracing, 2. paragraph.

For the sake of completeness, it is pertinent to emphasize, that mechanisms are part of most forms of causal analysis but typically remain non-formalized and “hidden in the causal narrative” as Lange notes. Nevertheless, from a comparative vantage point, they are useful to incorporate explicitly in the analysis as they can be applied to multiple cases. Still, their utilization in this study deviates from most macro-level social scientific comparative studies which usually focus on one causal determinant for each mechanism. The main reason for this divergence is that micro-level studies of perpetration necessarily encompass biographical data. As individual human behaviour is complicated to theorize and people can react differently in the same situation, it must be stressed that behavioural patterns at the micro-level

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25 Lange, Comparative-Historical Methods, Process Tracing, 2. paragraph.
26 Ibid., Process Tracing, 2. paragraph.
27 Ibid., Process Tracing, 6. paragraph.
28 Ibid., Process Tracing, 6. paragraph.
29 Ibid., Process Tracing, 6. paragraph.
have a multitude of potential determinants which are difficult to systematize. Accordingly, this study occupies a middle position between the holistic causal narrative of the historian and the more narrow theoretically focused inquiry of the social scientist, albeit with a leaning towards the former.\textsuperscript{30}

The same epistemology has also guided the treatment of mechanisms as heuristic devises, meaning ideal-types which only partially conform to the social reality they aim to illuminate.\textsuperscript{31} In addition, another consideration has been germane for this choice which revolves around the fact that unlike in a lab experiment variables cannot be isolated when studying motivation in historical situations.\textsuperscript{32} Rather, social mechanisms and their causal determinants interact in convoluted ways, and any attempts at delineating and weighting their relative significance therefore involve a high degree of interpretative assessment.

**Social Psychology and Perpetrator Studies**

As social mechanisms are not prefigured constructions they must necessarily be theorized. The literature applied for this purpose derives mainly from social-psychology. As this discipline is generally informed by the epistemology that humans behaviour is influenced by common social factors regardless of cultural differences, social psychologists strive to pursue nomothetic explanations which can be applied to cases irrespective of their temporal and geographical setting. For researchers who want to explore the causal relations which underpin human behaviour, theories from this field is therefore relevant.

Social-psychology’s main contribution to the study of perpetrators is elucidating how social influence can prompt subjects to behave in manners which stand in stark contrast to their previous conducts. Essential and classic contributions, in this connection, are Stanley Milgram’s “Obedience to Authority” experiment, the Stanford Prison experiment\textsuperscript{33}, and Henri Tajfel’s “Minimal Group Experiments” on inter-group discrimination. All of these experiments came to surprising and disturbing results concerning humans’ propensity to

\textsuperscript{30} For the difficulties associated with making comparative micro-level analysis see Ibid., Defining Comparative Historical Analysis, 9. paragraph. For inspiration for this argument see Tomislav Dulić, *Utopias of Nation*, 346.


\textsuperscript{32} Browning, *Ordinary Men*, 218-219.

\textsuperscript{33} Without disclaiming its importance, the Stanford Prison Experiment has not been included in this theoretical framework, as I find it has more relevance for a case study on a camp environment.
engage in amoral and discriminatory behaviour under the impact of circumstantial social context.\textsuperscript{34}

As should be clear from the research overview, the situational emphasis which characterizes the social psychological literature is not foreign to the dominant assertions of the empirical perpetrator research, and to some extent the two have operated in tandem.\textsuperscript{35} Although the applicability of the findings of the former to the phenomenon of “real” perpetration (the ecological validity\textsuperscript{36}) remains disputed, it is my impression that Donald Bloxham aptly summarizes the prevailing attitude when he with reference to the executioners of the Holocaust writes:

\begin{quote}
We may argue over precisely what weight to attribute to social-psychological factors in situations of ‘real-life’ extremity which are impossible to replicate fully in experiments, but only if we assume that mid-twentieth century Germans were unsusceptible to patterns affecting the rest of human kind can we ignore them.\textsuperscript{37}
\end{quote}

Subscribing to this point of view, the position taken is that findings from social-psychological literature offer a convincing framework for theorizing the social mechanisms at play in situations of “real” perpetration.

A key aspect, which must be noted before proceeding, is that there has been a tendency to approach the topic of perpetration from the perspective of Social Identity Theory (hereafter SIT). This theoretical train of thought was pioneered by Henri Tajfel in the 1970s and was subsequently expanded upon by his student John C. Turner leading to development of the related self-categorization theory. According to SIT, individuals have various social identities ranging from the family to the national and it depends on the situational context which identity is dominating.\textsuperscript{38} Elaborating on this premise, Turner posited that when a social identity becomes accentuated, the prominence of the personal identity will correlatively

\textsuperscript{34} Roth, “Hearts of Darkness”, 217-219. For a broad synthesizing overview of social psychology’s contribution to perpetrator research, see Waller, \textit{Becoming Evil}.
\textsuperscript{35} Noticeably, Christopher Browning referred to Milgram’s Obedience Experiment and the Stanford Prison Experiment when explaining the men from Reserve Police Battalion 101 Moreover, Donald Bloxham has also underlined the importance of social-psychological theories when explaining perpetrators. Finally, Johannes Lang and Harald Welzer are two social psychologists who both use historical sources for their analyses. See Browning, \textit{Ordinary Men}; Bloxham, \textit{The Final Solution}, 291-292; Johannes Lang, “Questioning Dehumanization: Intersubjective Dimensions of Violence in the Nazi Concentration and Death Camps”, \textit{Holocaust and Genocide Studies: An International Journal} 24, no. 2 (2010); Welzer, \textit{Täter}.
\textsuperscript{37} Bloxham, \textit{The Final Solution}, 292.
diminish, and through a process of depersonalization the individual will become more absorbed within the social identity of the group resulting in self-stereotyping. According to SIT’s explanation of social influence, “referent informational influence”, it is in-group members who are considered exemplary and prototypical of the group that shape the dominant intra-group norm.

Although it is my conviction that SIT has a strong meta-theoretical foundation, it has to be emphasized that its applicability in a micro-historical study on perpetration is not without limitations. Most importantly, on the basis of the source material it is difficult to discern the personal self-categorizations at play. Accordingly, while SIT can elucidate aspects of perpetration, to posit that it offers a magic bullet for understanding perpetrator motivation would be a theoretically overstretch. Nevertheless, both because of its proponents have contributed to the study of perpetrators and the theory historically has been instrumental in replacing a crude biologism with a more nuanced understanding of group processes, its merits cannot be ignored and interpretations from this perspective have therefore been included in the theoretical framework. In the following, Stanley Milgram’s experiment on obedience to authority will be summarized and interpretations of its results outlined in order to theorize the social mechanism of obedience to authority. Thereafter, literature pertaining to what with a generic appellation is termed “victim devaluation” will be invoked.

**Theorizing Obedience to Authority**

When it comes to understanding the causal relevance of obedience in situations of perpetration, Stanley Milgram’s seminal “Obedience to Authority” experiment remains an important point of reference.

This experiment was conducted in the early 1960s at Yale University where 40 men from New Haven with different professions and social backgrounds were selected as test subjects. In the laboratory setting, each of them were instructed to perform the role as “teacher” by administering electronic shocks to another person - “the learner” - whenever the latter failed to provide the right answer to a test question. The shocks were delivered according to the

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instructions of an experiment leader and were gradually raised from 75 to 450 volts. As the voltage increased, the learner started expressing growing sounds of discomfort. While in reality no real shocks were delivered, and the learner was merely an actor imitating expressions of pain, this was not known to the test subjects.  

**Figure 2. Significant Variations in Milgram’s Experiment.**

![Graph showing percentage of obedient subjects across different conditions](image)


The experiment was carried out in a multitude of variations all of which revealed differences in the compliancy rate. In the base-line study, where there was voice but no visual feedback between the learner and teacher, 62.5 percent of the test subjects obeyed until the end despite exhibiting significant amounts of distress when doing so. However, other variations demonstrated that defiance correlated significantly with the learner’s proximity. When there was neither visual nor voice feedback, the level of obedience was at 65 percent, but when the

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test subject personally had to force the hand of the learner unto the shock plate it fell to 30 percent. At the same time, when the experiment-leader occupied a distant position and gave the instructions through telephone, obedience rates also dropped. Moreover, it almost in every case resulted in fewer shocks when the teacher was given freedom to administer the intensity of the electronic shock personally. Exchanging the experimenter with an individual who was not dressed in the legitimizing white coat of science also prompted a reduction in obedience rates.\textsuperscript{43} In addition, Milgram also tested the relationship between conformity and obedience. Noteworthy, when put together with two collaborators of the experiment who step-by-step escalated the level of shock intensity, the teacher complied to the escalation. In turn, when the two collaborators refrained from escalating the voltage, the teacher virtually always followed their lead.\textsuperscript{44}

Although the experiment revealed that compliance is highly contingent upon situational variations, Milgram’s main focus was on explaining obedience. In this connection, he presented the argument that the situations in the experiment mirrored the hierarchical structures of modern organizations. Perceiving these structures as operating according to self-regulating top-down principles, Milgram surmised that in order to suppress the impulses deriving from consciousness individuals automatically enter an “agentic state” when an authority puts demands on them which conflict with their values. This theory denotes a process where the subject delegates responsibility for his or her acts unto the authority which has prescribed them.\textsuperscript{45} Once in this state, defiance will be perceived as a moral transgression which invokes “anxiety, shame, embarrassment, and diminished feelings of self-worth.”\textsuperscript{46}

It bears notice, however, that the agentic state theory has been criticized as constituting a shallow interpretation of the experiment, especially in the way it invites for simplified notions of obedience as blind and automatic. From a SIT perspective, the social psychologists Stephen Reicher, Alexander Haslam, and Joanne Smith offer a different interpretation which revolves around that the test subjects were faced with two conflicting social identities in the experimental setting: one was their identification with the experimenter “and the scientific community of which he is representative”, the other was their identification with the learner.

\textsuperscript{43} Ibid., 32-36, 59-62, 70-72, 93-97.
\textsuperscript{44} Ibid., 119-122.
\textsuperscript{45} Ibid., 128-134, 143-148.
\textsuperscript{46} Ibid., 152.
“as a member of the general public”. The relative salience of each of these identities was contingent upon the experimental variations most notably the spatial proximity of the learner and the experimenter as well as the degree that the latter embodied a prototypical and legitimate representation of the scientific community.

Moreover, the three researchers also posit that coercion engenders disidentification with the authority. In this connection, they emphasize that the only of the experiment’s verbal prods which took the form of a direct order did not expedite obedience but triggered resistance. On this basis, they posit that the term “followership”, rather than obedience, more aptly describes the mechanism at play in the experiment. Furthermore, they also note the similarity with recent tendencies within the Holocaust historiography where the notion of perpetrators as passive obedient subjects has oscillated towards an understanding centred on personal initiatives as encapsulated in historian Ian Kershaw’s concept “working towards the Führer”.

While such interpretations recently have gained currency within perpetrator studies, it has to be emphasized that they have a markedly “voluntaristic” inflection. Without subscribing to anti-empiricism, Donald Bloxham cautions perpetrator researchers to exercise more awareness of how current societal trends shape their research inquiries. On this matter, he emphasizes that the recent stress on agency and voluntarism in the understanding of perpetrators appears tainted by the “relative contemporary freedoms of opinion and the post-Cold War triumph of individualism”, and he underlines that ignoring the motivational relevance of obedience and conformity runs the danger of replacing an older understanding of the perpetrators as mindless recipients of orders with another simplified portrayal.

Ultimately, although it remains disputed how its findings should be interpreted, the main strength of Milgram’s experiment is its aid in identifying the causal determinants which induce obedience and disobedience. In this regard, it can be surmised that the most significant determinants of obedience are close spatial proximity between the authority and the recipient of the order; the perceived legitimacy of the authority; a distal position to the victim; and compliant fellow peers. In turn, the most significant determinants of disobedience are

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48 Ibid., 320-322.
49 Ibid., 318-320.
coercion and perceived illegitimacy of the authority; close proximity to the victim; and disobedient peers.

As for the practical applicability of these findings in enhancing the understanding of “real-life” perpetration, an inference which can be made is that there is a potential correlation between the level of obedience in the different experimental variations and the organization of mass violence. The most well-known example of such a view is to be found in the sociologist Zygmunt Bauman’s *Modernity and the Holocaust*.⁵¹ In this study, Bauman drew a parallel between the distal proximity between the teacher and learner in Milgram’s experiment, and the bureaucratic division of labour integral to the implementation of the Holocaust. In this relation, he argued that since German officials were sheltered from the end-results of their actions and had no personal contact with their victims, their destructive policies could be implemented without moral scruples.⁵²

Leaving aside the larger merits of Bauman’s study, it is clear that this argument has less explanatory value for the hands-on perpetrators who are in face-to-face proximity with their victims. Nevertheless, this does not preclude that other variables in Milgram’s experiment, such as close proximity to the authority, impacts the obedience mechanism.

However, it is important to note that one potentially significant causal determinant was not possible to test in Milgram’s experiment. When probing the ecological validity of the experiment to the Holocaust, Milgram noted that unlike his subjects, who were assured that no permanent damage would result from their actions, the real killings done by the German perpetrators could partly be attributed to “the intense devaluation” of the Jews stemming from propaganda and social exclusion.⁵³ Moreover, when it is taken into account that recent research has unearthed several examples of non-ordered killings and gratuitous forms of cruelties,⁵⁴ indications are that the obedience mechanism cannot independently capture the full complexity of perpetration and needs to be complemented by a second social mechanism which can discern the perpetrators’ perceptions of their victims in a more elaborate fashion.

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Theorizing Victim Devaluation

The topic of the perpetrator’s attitudes towards their victims has received a large amount of attention in the theoretical literature. In the following, key findings will be detailed and discussed in order to theorize the victim devaluation social mechanism.

Of the various concepts which have been advanced,55 “dehumanization” is probably the most well known. According to the social-psychologist Herbert Kelman, this process has been fulfilled when “a group of people is defined entirely in terms of a category to which they belong and when this category is excluded from the human family.”56 However, despite its widespread currency, the concept of dehumanization has also been criticized. In this connection, social-psychologist Johannes Lang argues that, “feelings of power and hate are grounded in intersubjective relations that become inexplicable in terms of the non-human.”57 Directing attention to the Nazi concentration camps, he stresses how SS-guards who strived to reinforce their personal identity and demonstrate their power to their peers used excessive cruelty to achieve self-aggrandizement. In Lang’s view, the ability to show ultimate power over another human was central in this quest; the subjective human element of the victim being of paramount importance.58

Predating this criticism, the necessity of dehumanization as a prerequisite for murderous perpetration was also called into question by sociologist Helen Fein. In her view, a necessary condition for collective killings to occur is that the victims are excluded from the perpetrator group’s “universe of obligation” which she defines as the “circle of individuals or groups towards obligations are owed, to whom rules apply, and whose injuries calls for amends.”59 However, according to Fein, this exclusion does not necessarily entail dehumanization, and she takes argument against the existence of a universal norm which prevents mass violence and only can be circumvented by depriving the victims of their humanity.60

55 For a broad overview see Waller, Becoming Evil.
58 Ibid., 239-241.
59 Helen Fein, Accounting for Genocide: National Responses and Jewish Victimization during the Holocaust (New York: Free Press, 1979), 4. See also Lang, “Questioning Dehumanization”, 229.
Figure 3. Positive and Negative Sanctioning.


An advantageous facet of applying Fein’s notion of the universe of obligation is that it encompasses a method for measuring the intent of higher ranking authorities and assessing the attitude towards the victim which permeates the broader institutional framework of perpetration thereby bridging the gap between macro and micro-level actors. This method is termed “positive and negative sanctioning” and revolves around the tenet that the degree a victimized group is perceived to be within the perpetrators’ universe of obligation will reflect upon the measures taken by the authorities to apprehend and punish offenders who victimize this group. If punitive sanctions are taken towards the culprits, it can be deduced that the victims are part of the universe of obligation. On the other end, authorities
can also positively sanction killings; the most extreme form being institutionalizing the destruction of the victimized group.\textsuperscript{61}

While the arguments presented by Fein and Lang question if the concept of dehumanization adequately captures perpetrator-victim interaction, it is less-disputed that victimization involves a form of collective stereotypic categorization in line with Kelman’s first criterion.\textsuperscript{62} The formation of stereotypic out-group categorization has in particular been illuminated from the perspective of SIT. Prominent, in this regard, is a theory termed Tajfel’s “categorization law”, which Turner has elaborated upon, and is based on the premise that when an in-group identity becomes salient, there will be an automatic tendency to exaggerate the differences with out-groups. At the same time, just as perceived intra-group differences in the in-group are perceptually minimized through depersonalization, there will be a correlative propensity to categorize out-group members not in terms of individual idiosyncrasies but on the basis of a stereotype where the attributes of a representative member is assigned to all them.\textsuperscript{63}

It is important to note, however, that the exact correlation between stereotypes and animosity remains disputed. While the seminal “Minimal Group Experiments”, conducted by Tajfel, demonstrated that inter-group relations were consistently characterized by in-group favouritism, even when subjects were assigned to groups based on completely arbitrary divisions,\textsuperscript{64} it has been argued that this bias is not necessarily tantamount to enmity.\textsuperscript{65} Accordingly, there appears to be an explanatory leap between a stereotype of difference and murderous perpetration which warrants elaboration.

A possible explanation for bridging this gap is provided by “cognitive dissonance” theory. This theory has increasingly gained popularity within perpetrator studies and holds that when individuals act in a manner which is inconsistent with their beliefs they will experience mental dissonance. In order to reduce this dissonance, they will have to either change the

\textsuperscript{62} Bloxham, The Final Solution, 294.
\textsuperscript{63} Turner, “Towards a Cognitive Redefinition of the Social Group”, 14-16, 19.
\textsuperscript{64} Tajfel, “Social Identity and Intergroup Behaviour”.
behaviours or alter their beliefs in order to justify them.\(^{66}\) Important principles of the theory revolve around that it is often easier for people to justify such actions rather than change their behaviour and “that attitudes not only can change but also can change in such a way that they encourage repetition of the action that caused the dissonance.”\(^ {67}\) In line with this argument, psychologist Ervin Staub posits that perpetrator behaviour can be conceptualized as a progression along a “continuum of destruction”. In his view, what starts with comparatively mild forms of devaluation will gradually trigger more intense discrimination of the assailed victim group in order for the culprits to rationalize and persuade themselves of the rightness of the course that has been embarked on.\(^ {68}\)

Ultimately, it is clear that the perpetrators’ perception of and interaction with their victims is a complicated topic. In light of this, assessing the relevance of the various theories must necessarily be an empirical matter. However, with consideration to the criticism levelled against the concept of dehumanization, I have opted instead for using the term “victim devaluation” as an embrace and generic label for a social mechanism which encompasses various forms of out-group categorizations and discriminatory conceptions.

**The Research Questions**

On the basis of the theories, the research aim can be reformulated into four interrelated research questions. As the main purpose of the theories is to aid in identifying the mechanisms’ causal determinants, the first research question enjoys a central status: *what were the causal determinants of the two social mechanism in the case studies?* Furthermore, given the different overall context of the two massacres, a predication is that the perpetrators potentially should display different behavioural patterns. Therefore, the second research question is: *did the perpetrators act differently in the two massacres and can such differences be explained by specific causal determinants?* However, such differences do not preclude that forms of perpetrator motivations are common irrespective of macro-level differences. This possibility gives rise to a third research question: *did the causal determinants stem from the*

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\(^ {67}\) Ibid., 55.

macro-level context and correlate with the authorities’ intention, or were they specific to conditions at the micro-level? Finally, the theories also encompass aspects, such as coercion and negative sanctioning, which potentially impeded the operation of the two social mechanisms. Correspondingly, the fourth research is: were there factors which impeded the social mechanisms and how did they operate?

These four questions will frame the comparative analysis which constitutes the theoretical core of this study. Yet, as a prerequisite for the comparative analysis, each of the case studies will first be analyzed separately. The motivation for this procedure is to provide background information which facilitates insight into the research questions and the macro-level context, the perpetrators’ background and indoctrination, as well as the behavioural patterns they displayed during the massacre will be illuminted as a prerequisite for identifying the causal determinants of victim devaluation. Simultaneously, particularly attention will be devoted to analyzing the orders given prior to the massacres and to explore how the violence was organized. This is important, as a predication is that these aspects correlate with the causal role of obedience.

**Research Design**

The research design of this study is an exploratory small N-comparison which entails that the aim is not to develop nomological insights. The selection of cases has mainly been shaped by access to primary sources as well as ensuring comparable units of analysis. As a definition for the unit of analysis it was decided to use massacre as a generic label. Yet, what actually constitutes a massacre is not undisputed. For example, political scientist Jacques Semelin adopts a very broad definition which even encompasses the Genocide in Rwanda. As a massacre is usually understood as a more specific event confined to a narrower temporal and spatial setting, a more simple definition offered by the historians Philip Dwyer and Lyndall Ryan was selected. According to Dwyer and Ryan, a massacre is “the killing by one group of people by another group of people, regardless of whether the victims are armed or not, regardless of age or sex, race, religion and language and regardless of political, cultural,

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racial, religious or economic motives for killing.” However, as the aim of this study is not to contribute to the conceptual discussion on the delineation of different instances of violence, the term massacre is used interchangeably with “atrocity” and “killings” in order to avoid tedious repetition.

More importantly, a criterion was to select massacres from different contexts. In this connection, it was decided to choose a massacre which was not directly state sanctioned as oppose to an atrocity from a setting where the authorities adopted a more destructive policy. As representing a non-state sanctioned atrocity, the My Lai massacre was considered suitable due to an ample amount of primary sources consisting mainly of testimonies from criminal investigations. In turn, the decision to select a massacre perpetrated by the Nazi-Regime was motivated by the more virulent intentions of this regime in conjunction with the existence of a large numbers of primary sources deriving from judicial proceedings in the German Federal Republic. Although there is no monograph on the massacre in Bialystok, it has a prominent place in the Holocaust literature. On the basis of this literature, it could be glanced that some of the culprits responsible for the atrocity had not just been indicted but also sentenced which indicated the existence of a large bundle of primary sources. In light of this, the massacre was considered an appropriate choice and its selection facilitated a visit to the German Federal Archive’s department at the Central Office of the State Justice Administration for the Investigation of National Socialist Crimes in the town of Ludwigsburg (Zentrale Stelle der Landesjustizverwaltung zur Aufklärung nationalsozialistische Verbrechen) which houses records from all criminal investigations of Nazi crimes in the German Federal Republic. However, as it turned out that the archive did not held the full records of the investigations, the stay in Ludwigsburg was subsequently complemented by a visit to Nordrhein-Westphalia State Archive, Rheine-land department (Landesarchiv NRW Abteilung Rheinland) in the city of Duisburg which hosted supplementary sources.

An important aspect which must be accounted for before proceeding is that in some regards the units of analysis constituted by the two case studies are skewed. Firstly, whereas the My Lai massacre was perpetrated by a company, a whole battalion was involved in the killings in Bialystok. Since, to my knowledge, massacres conducted by the Nazi-regime were

70 Ibid., xv.
rarely perpetrated by units below battalion-level, this constituted an issue. However, I do not find that the imbalance impedes a comparative study as the upper officers in Task Force Barker also had a role in the massacre. Accordingly, the conduct and responsibilities of these individuals have also been analysed.

Another significant difference pertains to the setting. Whereas Bialystok is a major city, Xom Lang is a small hamlet. This difference might have affected the organizations of the violence which was first realized in retrospect. Still, this disparity also reveals a major difference between the overall contexts of the two cases since, to my knowledge, no massacres were committed by American troops in urban centres during the war in Vietnam.

In addition to these aspects, it is also necessary to take into account that in terms of death tolls there also is an imbalance between the two case studies. With 400-430 deaths claimed during the My Lai massacre, and around 1000 direct killings in Bialystok and a further 1000 deaths as an indirect result of the synagogue fire, the latter case is of considerable larger magnitude. Ultimately, I do not consider this disparity crucial. However, it is appropriate to note that vast massacres, such as Babi Yar, were excluded from the selection process at an early stage due to their size and because they involved multiple perpetrators units, often from different organizations, which makes biographical sampling impractical.

72 Greiner, War without Fronts, 212.
73 Wuppertal Court Judgement, 12 March 1968 (LAV NRW R, NW 875, Urteilsband, 14012, 4110 E III B. 5489), 52-53, 57, 60.
74 33,000 Jews perished in the massacre of Babi Yar outside Kiev in late September 1941: Browning, The Origins of the Final Solution, 291-292.
Method and Methodology

The primary method of this study is historical source criticism. The principal motivation for this choice is that the analysis encompasses original narratives of historical events and seeks to determine the motivation of historical actors based on a source material which is tainted by bias. For this purpose, careful source evaluation is imperative and source criticism constitutes an essential tool for separating the plausible from the implausible and thereby aid in creating accounts which to the best ability approximate social reality. Accordingly, the goal of using this method is to increase the accuracy of the analysis.75

As a quite elaborate methodological discussion already exists on the use of perpetrator statements, the origins and evolution of historical source criticism will not be dealt with. Rather, this chapter will confine itself to introduce source-critical methodological reflections specific to the material after having introduced the primary source foundation of this study.

Introducing the Sources

The main bulk of the primary sources applied in this study derives from criminal investigations. In the case of the My Lai massacre, there were several such instances.

The first investigation was conducted by the office of the Inspector General of the American Army (hereafter IG). Its initiation was triggered by a letter which a Vietnam veteran named Ronald Ridenhour had written to a number of congressmen, the Joint Chief of Staff of the United States Army, and President Nixon in the spring of 1969. While Ridenhour had not served in C Company, he knew from several acquaintances from the unit that something “very black” had happened in My Lai.76 His letter prompted the IG to dispatch Colonel William Wilson to investigate if there was substance to the allegations. Accordingly, Wilson questioned several former members from C Company during the late spring and summer of 1969.77 Around half of the statements are available for download at Texas Technical University’s Virtual Vietnam Archive (abbreviated as TTU VVA) and has been used in relation with this study.

77 For a self-biographical account of Wilson’s investigation see William Wilson, “I Had Prayed to God That This Thing Was Fiction”, in My Lai: A Brief History with Documents, ed. James Stuart Olson and Randy Roberts (Boston: Bedford Books, 1998).
Wilson’s investigation was subsequently taken over by a task force of agents from the American army’s Criminal Investigation Division (hereafter CID). Unfortunately, the CID records have not been digitalized and are not accessible online, but a few of the testimonies given to the task force and other material produced in the context of its investigation are included in a compendium edited by James Olson and Randy Roberts. In addition, the records have been used by historians Bernd Greiner, and Michael Bilton and Randy Roberts whose studies also have been consulted.

In contrast to the CID material, the Peers Inquiry’s Final Report (abbreviated as PI-FR) is online accessible for download. This inquiry was established in November 1969 in the wake of the public exposure of the massacre and was named after its chairman General William Peers. While the inquiry originally had the relatively limited task of assessing the extent and nature of the cover-up, Peers successfully pressed his superiors in the Pentagon to broaden the scope of the investigation to include a full reconstruction of the massacre. Over a four month period, he and his staff questioned numerous suspects, survivors, and witnesses both in South Vietnam and in the United States.

As already noted, the sources which have been used for analysing the Bialystok massacre were located in the archive at Ludwigsburg (abbreviated as BArch B 162) and the Nordrhein-Westfalen State Archive (abbreviated as LAV NRW R). Both of these archives housed material pertaining to the criminal investigation of former servicemen from Police Battalion 309 which was initiated in 1959. The evidence formed the basis of an indictment which, in turn, lead to a total of three trials: two in the city of Wuppertal (1967-1968 and 1973) and one in the city of Darmstadt (1977). The court judgements and other documents from these trials were contained in the files at the archives.

80 Greiner, War without Fronts; Michael Bilton and Kevin Sim, Four Hours in My Lai (New York: Penguin, 1993).
81 Greiner, War without Fronts, 11-12.
82 It was decided, however, not to use the court judgement from the second Wuppertal trial, as it was considered a very biased source. Most noticeable, a murder sentence was converted into accessory to murder on grounds which appear restricted to the defendant's own claim of his benevolent attitude towards Jews; Wuppertal Court Judgement 24 May 1973 (BArch B 162, 14247), 3144-3145. Fortunately, the court judgement from the first Wuppertal trial is characterized by a marked devotion to the interests of criminal justice. Instructively, in this regard, is that the presiding judge, Dr. Norbert Simgen, was greatly upset that several former battalion members who were working as law-enforcers in the democratic Republic blatantly lied rather than exercising their legal right to refuse to testify. Consequently, Simgen ordered five witnesses arrested for perjury during the trial. This was a highly rare move in German legal proceedings pertaining to Nazi crimes and is testament to a level of
A formal point which must be highlighted before proceeding is that the law on personal data protection differs behind the two archives as they are subjected to different legislations. Whereas a federal regulation stipulates that it is only permissible to list the full surname of an involved individual if 30 years have passed since time of death or it has been 110 years since year of birth, the legislation in North Rhine-Westphalia is less strict and imposes a restriction of ten years after death or 100 years after birth. For the sake of historical accuracy, I have referenced the latter material to the degree it has been possible.83

Source Evaluation

As the main part of the primary sources utilized in this study are statements produced in the context of judicial context, careful evaluation of the information they contain is crucial. This is because the environment surrounding their generation is liable to distortions and obfuscation. On this matter, it is important to note that although the majority of the men were called in to testify as witnesses, they were also potential suspects and possible defendants in a court of law. Accordingly, lies and deceptions are pervasive features in this material.

While it is my impression that there is a dearth of methodological reflections on the use of statements given by American soldiers involved in war crimes, the challenges of using perpetrator statements have been probed within Holocaust historiography. In this connection, attention to the problematic aspect of reliability has galvanized debate revolving around whether these sources can be applied to discern the motivation of the perpetrators with some scholars taking a critical stance on their utilization for this purpose.84 However, although historian Ruth Bettina Birn concedes that “wholesale dismissal is a legitimate position”, she emphasizes that this approach would also entail “losing one of the few possibilities available of gaining insight into the mentality of perpetrators”.85

83 It is appropriate to note that the archivists in Duisburg informed me that they expect a homogenization of the German law in the near future as a result of a European Union initiative on data accessing and protection.
84 The historian Christian Gerlach criticizes both Christopher Browning’s Ordinary Men and Daniel Goldhagen’s Hitler’s Willing Executions for drawing conclusions which exceed what is sustainable on the basis of the sources; Gerlach, Kalkulierte Morde, 32-33. For a moderate criticism of Browning see also Philip W Blood Hitler’s Bandit Hunters: The SS and the Nazi Occupation of Europe (Washington, D.C.: Potomac Books, 2006), 305.
Although I subscribe to this standpoint, it should be noted that there are reasons to exercise caution when it comes to the level of insight which can be obtained on the psychological dimension of perpetration. Alongside the possibility of retrospective obfuscation and rationalizations in the statements, one has to rely on the questions asked by the investigators in order to acquire information. Since the main interest of these individuals was to obtain incriminating admissions as prerequisites for indicting, it is not a given that they considered the same aspect pertinent as the researcher.

In light of this, it has been decided not to examine motivation from an individual-centred psychological perspective. Rather, the conviction has been that by situating the massacres within their overall context and by analyzing the orders which were given, the behavioural patterns displayed by the perpetrators, and how the violence was organized, it is possible to heuristically grasp the social mechanism at play and discern their causal determinants. To an extent, I find that this procedure allows mind-set to be deduced from actions, but always with careful attention not to exceed what is empirically tenable.

With the reservation in mind that the statements have their limitations when it comes to psychological aspects, some methodological strategies can be applied to assess their reliability. Useful, in this regard, are four truth tests developed and used by Christopher Browning to evaluate the testimonies of Adolf Eichmann which the historian Waitman Wade Beorn argues also are applicable to perpetrators in general:

- The self-interest test: when information is given which goes against the grains of the testifier’s self-interest, it attests to its credibility.
- The vividness test: when an account features “unusual attention to details of visual memory”, it warrants attention.
- The possibility test: when information is provided which is not ruled out by other evidence, it should be considered possible and not be discarded out of hand.
- The probability test: when an account “coincide or fit a pattern of events suggested or established by other documentation”, it can be considered as probable.86

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86 Christopher Browning, Collected Memories Holocaust History and Postwar Testimony (Madison, Wis.: University of Wisconsin Press, 2003), 11-12. See also Beorn, Marching into Darkness, 22.
While Browning’s test criteria have not been adopted with rigid persistency, they have served as helpful tools throughout the source evaluation process, and at important points they have been incorporated into the text.

Although with careful evaluation much valuable information can be gained from the perpetrator statements, one significant aspect remains particularly difficult as it also verges on the psychological: articulations of shame and disgust. Such reactions are important in the sense that they can tell much about the influences at play. Noticeably, if the perpetrator emphasizes feeling such emotions at the time of the crime, it indicates that social pressure was determinative of his behaviour. However, while it is generally accepted that some perpetrators exhibit emotional strain when killing, it should be noted that it is debated if such responses reflect an ethical stance or a more visceral reaction to the extremeness of the situation. On this matter, the philosopher Ditte Munch-Jurišić cautions against automatically attributing a “moral quality” to perpetrator abhorrence as retrospective articulations in this direction can be suspected of being “a strategy be ‘rehumanized’ in the aftermath of the war.”

Daniel Goldhagen has taken such a sceptical stance to the extreme. In his opinion, perpetrator distress is never a sign of ethical or principled opposition, but an aesthetic revulsion stemming from the sight of dead bodies. In contrast, Birn takes a more cautious stand. While she agrees with Goldhagen that the concept of principled opposition has limited heuristic value in the context of groups of men who directly participated in mass murder, she also posits that when the perpetrator expresses guilt but at the same time provides a very open description and is candid about his own role in the atrocity, such statements indicate more than just an aesthetic revulsion. While I find that Birn makes a reasonable point, I also judge that emotional strain should be sought verified through third party information in line with Browning’s probability truth test criterion to the extent it is possible.

All in all, as the legal situation of American soldiers involved in war-crimes was similar in key regards to the German perpetrators, the position taken is that the detailed methodological considerations from the Holocaust historiography also have bearings for these individuals. However, it is important to note that there are differences which separate the German and American source material and complicate a comparative study.

88 Ibid., 276-277.
89 Birn, “Revising the Holocaust”, 199-200.
90 For the inspiration for this argument see Beorn, Marching into Darkness, 72.
A formal difference is that German interrogation statements are summaries and only feature verbatim quotations to a limited extent. In contrast, the interrogations of serving or former soldiers in the context of American army investigations were recorded and written as transcripts. As the latter are ampler in length, they have been labelled “testimonies” in this study, whereas the term “statements” is used for the German investigation protocols. While I do not consider this difference of paramount importance, an implication is that information which potentially could have been of interest to the researcher might have been omitted from the statements because of its perceived irrelevance. This facet also gives rise to the question if this material actually can be classified as a primary source. However, since the interrogated individuals confirmed the statement’s veracity through signature, it can be deduced that the information corresponds with their point of view.

A more important difference is that the statements from the investigation of the former servicemen from Police Battalion 309 are markedly tainted by exculpatory tendencies, whereas the testimonies of the former members from C Company generally exhibit a stronger degree of candour. One possible explanation for this discrepancy is that a large part of the former servicemen from the police battalion frictionless continued their careers in the new Federal Republic’s police force after the war. As a former police investigator attached to the case stated in an interview, there was a highly uncooperative atmosphere and widespread antipathy towards the investigators within this institution.91 Naturally, such an environment was hardly conducive to truthful confessions.

Another difference is that the laws which framed the proceedings differed in key regards. More precisely, the German investigators had authority to question all of the former servicemen from Police Battalion 309, whereas neither the IG, the CID, and the Peers Inquiry had jurisdiction to compel witnesses who had been discharged from the army to be questioned.92 In light of this, it might be considered surprising that 44 former servicemen from C Company did chose to show up before the Peers inquiry. However, it is noteworthy that none of them could be prosecuted. This was because between 1955 and 1996 the American military did not have jurisdiction to prosecute soldiers once they were out of

91 Michael Okroy, “‘Man will unserem Batl. was tun...’ Der Wuppertal Bialystok-Prozeß und die Ermittlungen gegen Angehörige des Polizeibataillons 309”, in Im Auftrag: Polizei, Verwaltung und Verantwortung: Begleitband zur gleichnamigen Dauerausstellung--Geschichtsort Villa ten Hompel, ed. Alfons Kenkmann, Christoph Spieker, and Geschichtsort Villa ten Hompel (Essen: Klartext, 2001), 310-311.
uniform nor could such individuals be tried by civilian courts due to a legislative gap. The implication is that these men had less reason to fear prosecution.

A final difference is the German law’s definition of murder. According to the German penal code, killing is defined as murder when it is committed with “base motives” such as bloodlust, greed, or hatred. The punishment prescribed is prison for life. In contrast, it is possible for judges to convict a culprit who kills as a response to orders without personal interest, as an abettor to murder which is stipulated as a lesser crime that does not mandates a life-long sentence. Given that anti-Semitism and other forms of chauvinism were considered base, defendants had an obvious interest in downplaying the motivational relevance of such sentiments and instead highlight obedience when defending their actions.

Although it was codified in American military law in 1956 that obedience to orders was not a mitigating factor in case of murder, this line of reasoning was still used as a defence strategy; likely because the principle was not always upheld during court-martials. Accordingly, the implication is that the testimonies of the men from C Company also can be suspected of bias on this matter. Yet, it is important to note that they had less to fear when it comes to revealing their attitudes to their victims as American military law does not stipulate the proving of base motives a prerequisite for a murder sentence.

Ultimately, the main consequence of the detailed differences is a certain imbalance in this study which entails that more space in the empirical analysis has been allocated for source criticism of the German source material.

95 Greiner, War without Fronts, 293-294, 334.
Empirical Analysis

The Bialystok Massacre

*The War of “Annihilation”*

The overall context surrounding the massacre at Bialystok was Nazi Germany’s invasion of the Soviet Union launched on 22 June 1941 with the codename *Barbarossa*. This was not only the largest military invasion ever, involving over three million German and other Axis soldiers, but also marked the beginning of the most bloody war in world history. While estimations of death tolls vary, it is generally accepted that at least 20 million Soviet citizens perished in its wake.

From the outset, German occupational policies were characterized by disregard for the international laws of war and included scorched-earth operations, mass seizing of property, shooting of civilian hostages in reprisal actions, subjecting the population to forced labour, and lack of provisions for captured prisoners of war. The latter aspect had particularly grim consequences as over two million Red Army prisoners died within the first of the war, mainly due to starvation and thirst.

The radical policies adopted in German occupied Soviet Union had several points of origin. One was the preparations made within the German army, the *Wehrmacht*. Particularly grave, in this regard, were two directives which were distributed to the troops on the eve of the invasion. The first, the Commissar Order, stipulated that all captured military communist functionaries were to be shot on the spot while their civilians counterparts were to be executed if considered anti-German. The second, the *Barbarossa* Decree, approved collective reprisals against the civilian population and forbade prosecution of German soldiers’ violent actions against civilians unless such acts tended to threaten general discipline. In addition to these instructions, a set of guidelines were issues which demanded “energetic measures

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98 Ibid., 86.
100 Browning, *The Origins of the Final Solution*, 219-221.
against bolshevist agitators, guerrillas, saboteurs, Jews, and complete elimination of any active or passive resistance.”

Another critical backdrop was the economic and nutritional planning which implied a vast demographic decimation. In this connection, German officials agreed that the army should live off the hinterland and important resources should be extracted to Germany in full awareness that millions would die as a result. Simultaneously, in the capacity of “Reich Commissar for the Strengthening of Germandom”, Heinrich Himmler had made plans for a stark reduction of the Slavic and Jewish populations through expulsion beyond the Ural Mountains in order to make space for German settlers.

When it comes to the Nazi Regime’s precise intention towards the Jews at this temporal stage, there are still contended points in the literature. What is certain, however, is that between the invasion of Poland in September 1939 and the onset of Barbarossa, the regime’s anti-Jewish policy progressively radicalized. Following the invasion of Poland in September 1939, a large part of Polish Jewry was concentrated in undersized ghettos and by mid-1941 half a million had perished due to hunger and disease. At the same time, schemes for deportation to inhospitable areas were devised, such as the “Madagascar Plan”, which had they been realized would have amounted to substantial destruction of the European Jewry. As it was expected that the campaign against the Soviet Union would result in a quick victory, the prospect of expelling the Jews beyond the Ural Mountains would have had the same consequences. Yet, despite of these radical plans it was still not envisaged before the Barbarossa campaign that all Jews would be systematically exterminated in situ through mass killings.

This point is illustrated by the pre-invasion instructions of the Einsatzgruppen, which were SS mobile squads operating under the supervision of SS-Gruppenführer Reinhard Heydrich. For a long time it was assumed in the historiography that these units had received an order demanding complete extermination. However, this assumption has since been

101 Ibid., 222-223.
102 Ibid., 219-20, 240-41.
103 Confino, Foundational Pasts, 109-111.
104 Christopher Browning, Nazi Policy, Jewish Workers, German Killers (Cambridge; New York: Cambridge University Press, 2000), 17, 24-25.
discredited as a deceitful defence strategy of binding orders used by former Einsatzgruppe commanders.\textsuperscript{106} In contrast, the predominant opinion among historians is now that the initial order was more narrow.\textsuperscript{107}

From a missive issued by Heydrich to the Higher SS and Police Leaders - Himmler’s personal representatives tasked with coordinating the activities of the SS and police units - it can be established that the Einsatzgruppen officers as a minimum received a direct order to kill Jews in party and state positions.\textsuperscript{108} However, it is noteworthy that mass shootings of Jewish men, in general, were conducted at the earliest stage of the invasion not only by the Einsatzgruppen but also by regular police and Wehrmacht units tasked with cleansing the rear of the advancing German front troops.\textsuperscript{109} This makes clear that this population segment was considered a legitimate target by all institutions involved in enforcing the regime’s occupational policies. The guiding logic which prompted this radical conduct was that the Jews were in league with the Bolshevistic system which the invaders intended to bring down and that Jewish men in particular were the most likely to organize resistance.\textsuperscript{110}

This stereotypic equation of Jews with Bolshevism has complex roots which dates back to the emergence of socialist ideas within Europe, especially the revolution in Russia, and was to a large extent erroneous. While Donald Bloxham notes that Jews were overrepresented in the NKVD and in local communist parties throughout Europe, he also stresses that this group suffered more than most others “from Soviet economic restructuring and the deportation of ‘bourgeois elements’” in the Baltic and Polish areas occupied from 1939 to 1941.\textsuperscript{111} At any rate, it can stand as certain that the equation was not based on an accurate empirical assessment of social reality but a crude caricature.

\textsuperscript{106} Browning, \textit{The Origins of the Final Solution}, 226-227.
\textsuperscript{110} Bloxham, Donald, “The Holocaust and European History”, in \textit{The Holocaust and Historical Methodology}, ed. Dan Stone (New York: Berghahn Books, 2012), 241. The same radical logic was also at play in German-occupied Serbia where all Jewish men were shoot during late summer and autumn 1941 with the argument that they were responsible for communist insurgencies; Walter Manoschek, “Wo der Partisan ist, ist der Jude, und wo der Jude ist, ist der Partisan”. Die Wehrmacht und die Shoah”, in \textit{Die Täter der Shoah: fanatische Nationalsozialisten oder ganz normale Deutsche?}, ed. Gerhard Paul (Göttingen: Wallstein, 2002), 172
\textsuperscript{111} Bloxham, Donald, “The Holocaust and European History”, 247.
While Jewish men and Soviet commissars served as the security units’ primary targets in the initial phase of the invasion, in August 1941 the targeting broadened to include all Jews regardless of age and gender. The historian Jürgen Matthäus argues that this expansion emerged as the result of a synergy between radical initiatives of zealous officers in the field and the signals from high SS commanders who travelled around in the occupied areas and (positively) sanctioned killings already committed. Simultaneously with the escalation, the killings increasingly followed a standardized pattern where the victims were first rounded up and then escorted to a relatively remote location where they either were forced to dig their own graves or had to lie down in pre-made pits before being shot. The reason for the concealment of the corpses related both to internal and external concerns. In this connection, the fear was that an exposure of the regime’s radical policies in the east was detrimental to keeping the German public unaware of the killings and, secondly, that such information could be used by enemy propaganda.

In contrast to the increasingly well-coordinated killing procedure which was to emerge, the atrocities during the initial phase of the invasion were to a large extent triggered by ad-hoc decision making on the ground and often had an improvised nature. A clear example of this is the massacre in Bialystok perpetrated by Order Police Battalion 309.

**Police Battalion 309**

The background for the formation of Police Battalion 309 dates back to when Himmler obtained the position as “Chief of German Police” in 1936. Prior to this, the German police had been organized on a state-by-state basis but following Himmler’s ascendency, the police forces were centralized and divided into two branches: the Security Police headed by Reinhard Heydrich and the Order Police under Kurt Daluege.

As an SS-subordinate organization, the upper ranks of the Order Police were increasingly Nazified, and by 1941 66 percent of all officers were party members. Besides comprising various units at the precinct level, Daluege also initiated the creation of combat-capable police

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114 Ibid., 263; Bloxham, *The Final Solution*, 203.
116 Ibid., 229.
companies which were meant to be used in a coming war. In order to prepare these units for their upcoming duty, training fixated on psychical exercise and installing a martial spirit was institutionalized; this was paralleled by the inclusion of ideological sessions.\textsuperscript{118}

Following the outbreak of the war in September 1939, the police companies were reorganized into battalions comprising around 500 men each. Correlation with a growing need for manpower to conduct security assignments, the number of these units expanded to 101 by September 1940. Whereas some of the battalions were comprised of conscripts who were too old for military service, Daluege also received authorization in late 1939 to recruit a number of younger volunteers who would otherwise have been drafted into the \textit{Wehrmacht}.\textsuperscript{119} As preparation for active duty these men were assigned to training battalions one of which had the signature “A-Cologne”. On 19 September 1940 this unit was renamed Police Battalion 309.\textsuperscript{120}

This unit was divided into three companies each of which comprised four Platoons alongside a heavy machinegun detachment. In addition, it had a communication squad, staff personnel, and its commander was Major Ernst Weis, born in 1894. Having been a career policeman since 1925, Weis joined the Nazi party following the regime’s power seizure in 1933.\textsuperscript{121} The battalion’s deputy commander and leader of 1st company, Captain Hans Behrens, was born in 1895. A World War I veteran, Behrens had subsequently served in one of the ultra-nationalistic paramilitary \textit{Freikorps} before joining the police in late 1919. Similar to Weis, he became a party member in 1933.\textsuperscript{122} The 2nd company was led by the younger senior lieutenant and SS \textit{Hauptsturmführer} Johann Höhl. Born in 1913, Höhl joined the \textit{Waffen-SS} in 1935 and underwent officer training at an SS Junker school between 1937 and 1938.\textsuperscript{123} The 3rd company’s commander, senior lieutenant Rolf-Joachim Buchs, was born in 1914. In contrast to Behrens and Höhl, he came from an upper middle class family and had received education at a \textit{Gymnasium}. Even before graduating, he became a member of the SS in 1933. After a term of service in the \textit{Wehrmacht}, he joined the Order Police in 1936 where

\textsuperscript{119} Browning, \textit{The Origins of the Final Solution}, 230-231.
\textsuperscript{120} Wuppertal Court Judgement, 12 March 1968 (LAV NRW R, NW 875 Bd. 14012, 4110 E III B. 5489), 26-27.
\textsuperscript{122} Wuppertal Court Indictment 8 May 1967 (LAV NRW R, NW 544, Bd. 37), 71-75.
\textsuperscript{123} Höhl, Johann Adam, Letter 26 May 1963 (LAV NRW R, Gerichte Rep. 0247, Bd. 44), 356-360.
he was selected for officer training at a police school. The battalion’s adjutant, senior lieutenant Erhard Miethe, was also born in 1914. In contrast to the other officers, he was not a member of the SS or the Nazi party. After graduation from Gymnasium, he studied law for a year. He completed his training as an officer in 1938 after having joined the police in 1936.

Figure 4. Officers and Non-Commissioned Officers in Police Battalion 309.


Similar to their superiors, all of the staff and platoon officers were career policemen. The last group comprised several SS members and a few had also served in the Waffen-SS before being transferred to the police. Of the non-commissioned officers, the majority had a longer background within the police although a few joined as late as 1940. Virtually none of them had received education beyond the obligatory elementary school. Based on a sample of 14 regular and 30 non-commissioned officers, the average age was 32 for the officers and 28 for the non-commissioned officers in September 1940. The years that 13 officers and 25 non-commissioned officers joined the police is illustrated in Figure 4.

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124 Wuppertal Court Judgement 12 March 1968 (LAV NRW R, NW 875 Bd. 14012, 4110 E III B. 5489), 6-9.
Exempting the battalion’s truck drivers who were drafted reservists, the battalion’s rank and file almost exclusively consisted of volunteers from the classes 1909-1912. Upon admission to the battalion, they were given the rank of watchman (Wachtmeister). A sample of 99 watchmen, who provided information on their occupations before joining the police, reveals that the vast majority had a lower middle- or working class background (see Figure 5). In terms of education they shared the same educational profile as their non-commissioned officers. Several of them had experienced long periods of unemployment due to the economic crisis in the late 1920s and 1930s, and blocked social mobility was frequently claimed as the reason for applying for police duty besides the wish to avoid the Wehrmacht draft.\textsuperscript{127} If ideological conviction also played a role is difficult to gauge as the men had an interest in downplaying such sentiments when giving statement because of legal considerations. However, it merits attention that when Himmler transferred into the SS those from the volunteer classes, he considered most fitted, it was met by a host of protests.\textsuperscript{128} This illustrates that several men from this generation still made a distinction between the SS and the regular police despite their increasing merging.

\textsuperscript{127} Minutes from the Main Trial against PHK. [Polizeihauptkommissar] Rolf-Joachim Buchs (LAV NRW R, NW 544, Bd. 13), 4.
\textsuperscript{128} Browning, The Origins of the Final Solution, 230.
During a six-month training period in Cologne, the policemen received military and ideological training. At the same time, they were educated in criminal and police law. According to the battalion clerk Johannes Otto, the latter sessions were not politically tendentious and were taught by older police officers who had served before 1933. When it is also taken into account that a ministerial decree issued on 17 October, 1939, made teaching the illegality of orders mandatory, this strongly indicates that the policemen were informed on this obligation.

On 23 September, 1940, after the basic training was completed, the battalion was transported to the Radom region in the General Government, the most eastern part of German-occupied Poland. In this setting, the unit did garrison duty and was also tasked with carrying out executions of suspected Polish partisans. In addition, the military and ideological training continued. The latter sessions included the screening of the propaganda movie “Jew Süss”, and according to a statement Behrens exclaimed during a speech, “the Jews are our misfortune.” At the same time, the battalion had a number of forcibly employed Jewish labourer who were targets of coarse and abusive acts. Illuminative, in this regard, is a case where the sergeant major of 3rd company, Georg Schwartz, ordered two Jewish kitchen workers to place themselves on a top of a snow. After informing them that they were about to be shot, he fired above their heads as a debased joke.

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129 Neumeyer, Friedrich, Letter 4 April 1962 (LAV NRW R, Gerichte Rep. 0247, Bd. 43), 244.
131 Wuppertal Court Judgement, 12 March 1968 (LAV NRW R, NW 875, Urteilshand 14012, 4110 E III B. 5489), 127. On the illegality of orders, § 47 MStGB (the military penal code which the Order Police also was subjected to) stipulated: “When a criminal law is violated through the execution of an order it is solely the commanding superior who is responsible. However, the obeying subject will be held accountable 1.) if he oversteps the order or 2.) if he is aware that the order issued by the superior purposes a general or military crime. Is the subordinate’s culpability small, punishment can be looked away from.”; Ibid., 127.
132 Ibid., 27
133 Behrens, Hans, Statement 18 February 1963 (BArch B 162, Bd. 1309), 543-544; Weis, Ernst Statement 2 July 1963 (BArch B 162, Bd. 1309), 636; Beiler, Friedrich, Statement 10 September 1963 (BArch B 162, Bd. 1310), 884-885.
134 Schneider, Heinrich Adam Martin, Statement 2 January 1962 (BArch B 162, Bd. 1309), 463.
135 Ibid., 463. This film was screened for all Police and SS units during the Winter 1940-1941: Westermann, Hitler’s Police Battalions, 118.
137 K., Hubert, Statement 5 July 1963 (BArch B 162), 627; B., Philip, Statement 10 March 1966 (BArch B 162, Bd. 1312), 1298; P., Heinrich, Statement 21 March 1968 (BArch B 162), 2992.
138 M., Werner, Statement 1 April 1968 (BArch B 162, Bd. 1320), 3011.
In May 1941, the battalion was transferred to Ostrolenka close to the German-Soviet Demarcation zone as preparation for Operation Barbarossa. Of the 21 police battalions which were to take part in this campaign, Police Battalion 309 was one of the nine which were to operate directly under the German army. As a result, it was attached to Security Regiment 2 of Army Security Division 221, which was commanded by General Johann Pflugbeil. This formation was tasked with securing the rear in Army Group Centre’s area of operation which encompassed areas in Eastern Poland, and Belorussia.

**The Orders Prior to the Massacre**

As the men from Police Battalion 309 received the news of the upcoming invasion on the eve of Barbarossa, there are conspicuous discrepancies in the statements concerning the orders which were given at this point. While it is not to dispute that the Commissar Order and the Barbarossa Decree were issued, a number of the men underlined that they were also informed that their tasks entailed the killing of Jews regardless of age.

While the absence of any similar order to the Einsatzgruppen rules out that such an instruction came from the higher SS leadership, the Wuppertal court surmised that it evolved as a result of Major Weis’ radical interpretation of the Barbarossa orders. However, it merits attention that most of the men denied the existence of such an order, including the staff personnel. Moreover, what is particularly conspicuous is that after Weis passed away during the investigation, Hans Behrens, Erhard Miethe, and Johannes Otto oscillated towards

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139 Wuppertal Court Judgement, 12 March 1968 (LAV NRW R, NW 875, Urteilsband 14012, 4110 E III B. 5489), 27.
141 Wuppertal Court Judgement, 12 March 1968 (LAV NRW R, NW 875, Urteilsband 14012, 4110 E III B. 5489), 27.
144 Wuppertal Court Judgement 12 March 1968 (LAV NRW R, NW 875, Urteilsband, 14012, 4110 E III B. 5489), 29-30.
145 Eckstein, Gabriel, Statement 07 December 1961 (BArch B 162, Bd. 1308), 290; Braun, Alois, Statement (LAV NRW Gerichte Rep. 0247, Bd. 5), 717. See also Birn, “Revising the Holocaust”, 201.
the position that an order to the effect of complete extermination had in fact been distributed.\(^{146}\) This indicates that Weis was used as a scapegoat.\(^ {147}\)

In light of the potential biases, it is germane to look at the testimonies of witnesses who on other matters had not been shy to incriminate themselves. In this regard, as he admitted to have killed in Bialystok without explicit orders, it can be argued that former platoon commander Heinrich Schneider’s version of what transpired on that eve carries more weight than others.\(^ {148}\) According to him, the instructions emphasized that the war was an ideological struggle between the National-Socialist ideology and Bolshevism. This made it clear to him that this would also be a struggle against Jewry which illustrates how the notion of Bolshevism encompassed the Jews by default. Despite this, no instructions to the effect of complete extermination were given.\(^ {149}\) As Schneider had already confessed to murder, he should have had no conceivable interests in disputing the existence of an exterminatory order as this could have potentially served as a mitigating legal factor. As his version also conforms to the general tone of the radical instructions issued by the Wehrmacht, the statement can be attributed credibility. Consequently, the position taken is that it is unlikely that an explicit instruction to kill Jews was given at this point. While this interpretation deviates from the Wuppertal Court Judgement, it has to be emphasized that the historical-legal Holocaust discourse in the 1960s was markedly intentionalist in the sense that it was assumed that the implementation of the Holocaust was highly premeditated.\(^ {150}\) Accordingly, an embracive killing order issued at such an early date might have seemed more probable from the contemporary perspective than it does today.

As the indications are that the massacre was not planned before the invasion, a different possible trigger revolves around the discovery of a number of dead German soldiers from Security Regiment 2 just prior to the entry in Bialystok on 27 June. These men had been shot by retreating Soviet forces.\(^ {151}\) However, although one former watchman stated that this


\(^{147}\) I am indebted to Ruth Bettina Birn for making this observation; Birn, “Revising the Holocaust”, 201.

\(^{148}\) Schneider, Heinrich Adam Martin, Statement 3 January 1962 (BArch B 162, Bd. 1309), 470-471.

\(^{149}\) Ibid., 465-465.


\(^{151}\) Oldenburg, Georg, Statement 6 December 1962 (BArch B 162, Bd. 1309), 400; Schneider, Heinrich Adam Martin, Statement 29 October 1962 (BArch B 162, Bd. 1309), 925; Carpentier, Karl, Statement 27 November
episode catalyzed the subsequent massacre against the Jewish population,\textsuperscript{152} this was an isolated view. Although a causal connection cannot be completely ruled out, a more probable possibility pertains to the instructions which the battalion received from General Pflugbeil shortly afterwards. These stipulated the battalion’s tasks in Bialystok as, “cleansing the city of Russian stragglers and German-hostile inhabitants [\textit{Deutschfeindlicher Bevölkerung}] and for keeping peace, security and order within the city”.\textsuperscript{153} During the Wuppertal court proceedings Miethe stated that “German-hostile inhabitants” were interpreted by Major Weis as the city’s male Jews.\textsuperscript{154} Considering the subsequent progression of events, I consider this version more probable than the plausibility that Weis ordered the extermination of all Jews regardless of age and gender before the invasion.

\textit{Anatomy of the Massacre}

Before the beginning of the Second World War, Bialystok had around 100,000 inhabitants; 42,000 were Jews and the remainder Poles.\textsuperscript{155} The city had in 1939 been occupied by the the Soviet Union when Poland was split between Nazi-Germany and the Soviet Union as a result of the Molotov-Rippentrop Pact. However, as the German army approached with alarming speed, the Soviet forces quickly pulled out, offering only sporadic resistance in the process.\textsuperscript{156}

As the police battalion approached Bialystok, parts of Security Regiment 2 had already entered the city centre and established a command post at a hotel named Ritz.\textsuperscript{157} The main elements of Security Division 221, together with 1st and 3rd company of the police battalion, 1962 (LAV NRW R, Gerichte Rep. 0247, Bd. 7), 1086. It is appropriate to note that there is a discrepancy in the statements concerning if these corpses also were mutilated. However, I consider it most plausible that such statements constituted an attempt to relativize the crimes in Bialystok as there were potential legal benefits to be reaped from this version. This is demonstrated by that the Darmstadt court converted Friedrich Rondholz’s sentence for killing Soviet prisoners from murder to manslaughter on the grounds that the emotional impact of the sight of the mutilated bodies had caused the accused to kill out of affective rage rather than cold calculation. The crime of manslaughter passed a statute of limitation in 1960; see Darmstadt Court Judgment 25 February 1977 (BArch B 162, Bd. 1321, 14247), 3244-3246.

\textsuperscript{152} Weintz, Nokolaus, Statement 31 October 1960 (LAV NRW R, Gerichte Rep. 0247, Bd. 3), 448.
\textsuperscript{155} According to a 1936 census there were 42,482 Jews out of a total population of 99,722: Sara Bender, \textit{The Jews of Bialystok during World War II and the Holocaust} (Massachusetts: Brandeis University Press, 2008), 19.
\textsuperscript{156} Wuppertal Court Judgement, 12 March 1968 (LAV NRW R, NW 875, Urteilsband, 14012, 4110 E III B, 5489), 32.
\textsuperscript{157} Ritter, Rudolf, Statement 27 April 1960 (BArch B 162, Bd. 1308), 56-57.
first made their arrival around four hours later. As 2nd company was operating in the southern part of the city, it would first enter the city centre at a later stage.\footnote{Wuppertal Court Judgement, 12 March 1968 (LAV NRW R, NW 875, Urteilsband, 14012, 4110 E III B. 5489), 31-32.}

**Figure 6. Map of Bialystok.**

![Map of Bialystok](image)

Conjoining at the marketplace by the main square in the city, 1st and 3rd company started searching the surrounding quarters for stragglers. At this point, a few of the police men became entangled in sporadic skirmishes with Red Army soldiers. However, the brief show of resistance was quickly brought down by Security Regiment 2 units.\footnote{Ritter, Rudolf, Statement 27 April 1960 (BArch B 162, Bd. 1308), 58; S., Rudolf, Statement 12 May 1960 (BArch B 162, Bd. 1308), 114; Brockhaus, Ewald, Statement 4 May 1962 (LAV NRW R, Gerichte Rep. 0247, Bd. 5), 867.}

Whereas a few of the Soviet soldiers were killed during the fire-fight, most surrendered willingly. A string of executions then took place. In this connection, five prisoners who had been lined up, hands against a wall, were gunned down from behind by the non-commissioned officer Friedrich Rondholz to the dismay of the platoon leader Heinrich Gorgs.\footnote{Wuppertal Court Judgement, 12 March 1968 (LAV NRW R, NW 875, Urteilsband, 14012, 4110 E III B. 5489), 36-38.}

A more organized execution took place in a park where four or five prisoners were...
paired off with shooters from the police battalion.\textsuperscript{161} After these killings were completed, the different platoons re-gathered at the marketplace.

The Jewish witness Juda S. stated that, at this stage, he was standing at the main square. From this position, he observed that the policemen appeared to be taking a respite and were talking in a casual fashion. However, some of the officers then began to question Poles about the living places of Jews and the location of their stores.\textsuperscript{162} It is evident that this ominous progression marked the beginning of the subsequent chain of events; around noon, Major Weis ordered the search of the Jewish quarter located in the centre of the city and the rounding up of all adult male Jews in this area.\textsuperscript{163}

If the officers and watchmen were informed that the goal of the operation was the elimination of the prisoners is disputed. Several claimed that they expected they would be temporary dislodged, while others alleged that they thought they would be used as a workforce.\textsuperscript{164} As claiming oblivion was a common defence strategy to preclude a abetting to murder charge, it can be questioned if credence should be attributed to these accounts.\textsuperscript{165} In stark contrast, a former watchman from 1st company flatly stated that it was clear to everyone the Jews would be killed sooner or later during this operation.\textsuperscript{166} Although it is difficult to be conclusive on this matter, the fact that no preparatory measures were made for deporting the Jews into camps or assigning them to work squads merits attention. On the basis of these pointers, the Wuppertal Court surmised that at least for the officers it was clear what was expected of them; a deduction which has a ring of probability.\textsuperscript{167}

As preparation for the operation, it was decided that 1st company should have the marketplace and 3rd company the nearby square in front of the city’s main synagogue as collection points.\textsuperscript{168} As the policemen attended to their tasks, indications are that the round-up followed a coordinated pattern. Firstly, the platoons were assigned different streets to comb.

\textsuperscript{161} Zurhorst, Herbert, Statement 12 April 1962 (BArch B 162, Bd. 1308), 318-319.
\textsuperscript{163} Wuppertal Court Judgement, 12 March 1968 (LAV NRW R, NW 875, Urteilsband 14012, 4110 E III B. 5489), 40.
\textsuperscript{165} Stefan Klemp, ‘Nicht ermittelt’, 444.
\textsuperscript{166} Watermann, Wilhelm, Statement 7 October 1960 (LAV NRW R, Gerichte Rep. 0247, Bd. 3), 399.
\textsuperscript{167} Wuppertal Court Judgement 12 March 1968 (LAV NRW R, NW 875, Urteilsband 14012, 4110 E III B. 5489), 40-41.
\textsuperscript{168} Ibid., 41.
Each platoon then split up: some men stood guard in the streets, and others entered the apartments and dragged out male inhabitants.\textsuperscript{169} Finally, other policemen were assigned the task of escorting the victims towards the collection points.\textsuperscript{170} It can be gathered from the statements that the searches were conducted in pairs or smaller groups.\textsuperscript{171} In most cases, the platoon and squad leaders directed the operation from the streets although a few of the more zealous officers personally participated in the searches of the apartments.\textsuperscript{172}

While the perpetrator statements provide a general picture of the organization of the roundup, they are sparse in terms of details on the occurrences inside the apartments. Jewish witness statements therefore offer an important contribution. Particularly illustrative is an account by Ignaz A., who as a fourteen-year old boy was living together with his family in his aunt's apartment:

> From my window on the 4. or 5. floor in the Kaluschinska street, I saw how the Germans were dragging men out of the houses. On the streets, all of the men had to position themselves in rows. The Germans were standing at their sides and watched that no one fled. A few men did try to flee and were shot at. [...] A few moments later I heard how soldiers came to the apartment door. Suddenly, the door was kicked in from the outside. The wood broke and the door blasted. 3-4 men in green uniforms entered my aunt’s apartment. One of them yelled: “where are the men?” My father [...] entered the living room. He was then pushed out of the apartment by the German soldiers. One of them screamed if there were more men in the apartment. Although we told that there were no more men, they nevertheless searched the entire apartment. They ransacked the clothing wards and the beds in my aunt’s apartment.\textsuperscript{173}

While the information it contains cannot be extrapolated to all the searches, Ignaz A.’s statement indicates that they were thoroughly conducted and the perpetrators acted aggressively. The latter point is cast into sharp relief, when it is taken into consideration that Jewish men, and a few women and children were shot directly on the street while others were

\textsuperscript{169} Schneider, Heinrich Martin Adam, Statement 03 January 1962 (BArch B 162, Bd. 1309), 470; Haveneth, Hubert, Statement 11 July 1962 (LAV NRW R, Gerichte Rep. 0247, Bd. 6), 962.

\textsuperscript{170} Wiener, Peter, Statement 19 October 1960 (LAV NRW R, Gerichte Rep. 0247, Bd. 3), 407.


brutally beaten with rifle butts when they were reluctant to follow.\textsuperscript{174} In a cruel fashion, some Jewish women were also raped in their apartments.\textsuperscript{175}

The worst excesses appear to have been committed within the 4th platoon of 3rd company’s area of operation where the opening salvo was given by the commander Heinrich Schneider. As Schneider confessed to the investigators, he first entered an apartment where he shot three male Jews with his machinegun. In another incident, he murdered a Jewish man in front of his family.\textsuperscript{176} According to a statement, Schneider’s conduct was seen by other platoon members as a license for arbitrary killings.\textsuperscript{177} Subsequently, the watchman Wilhelm Schaffrath started shooting male Jews together with the squad leader Fohren.\textsuperscript{178} One of these victims was a child.\textsuperscript{179} Most likely alerted by the shootings, the company's commander, Buchs, subsequently appeared. According to statements, he was furious and chastised the men for having a “blood-lust”.\textsuperscript{180} Subsequently, the killings came to an end.\textsuperscript{181} Given Buch’s activity during the following synagogue action, the Wuppertal court came to the conclusion that this intervention was not morally motivated. Rather, the round-up was becoming too disorganized in the commander’s opinion.\textsuperscript{182}

While a number of deaths had already been claimed in the initial phase of the massacre, the majority of the male Jews were driven to the collection points, and women and children who refused to depart from their husbands and fathers were taken along.\textsuperscript{183} Upon reaching the collection points, Poles who had been rounded up by mistake were separated from the Jews and released. This reveals that the perpetrators made clear separations between the two population groups.\textsuperscript{184}

\textsuperscript{174} Morgenbesser, Karl, Statement 18 March 1963 (LAV NRW R, Gerichte 0247, Bd. 9), 1481; Statement C., Tuwia, Statement 23 February 1966 (BArch B 162, Bd. 1312), 1307; J., Selman, Statement 22 June 1966 (BArch B 162, Bd. 1314), 1826.
\textsuperscript{175} C., Tuwia, Statement 23 February 1966 (BArch B 162, 1312), 1307.
\textsuperscript{176} Schneider, Heinrich Adam Martin, Statement 04 January 1962 (BArch B 162, Bd. 1309), 472-473.
\textsuperscript{177} Ihrig, Rudolf, Statement 29 September 1963 (LAV NRW R, Gerichte 0247, Bd. 17), 1788.
\textsuperscript{178} Wuppertal Court Judgement 12 March 1968 (LAV NRW R, NW 875, Urteilsband 14012, 4110 E III B. 5489) 98-102.
\textsuperscript{179} Fuchs, Friedrich, Statement 24 June 1963 (LAV NRW R, Gerichte Rep. 0247, Bd. 9), 1660.
\textsuperscript{180} Gaschka, Ernst, Statement 28 November 1962, (LAV NRW R, Gerichte 0247, Bd. 7), 1107.
\textsuperscript{181} Müller, Paul, Statement 6 May 1963 (LAV NRW R, Gerichte 0247, Bd 9), 1550.
\textsuperscript{182} Wuppertal Court Judgement 12 March 1968 (LAV NRW R, NW 875, Urteilsband 14012, 4110 E III B. 5489) 64.
\textsuperscript{183} Z., Elias, Statement 2 May 1961 (LAV NRW R, Gerichte Rep. 0247, Bd. 4), 611.
At the marketplace, Behrens stated that he received an order from Weis to organize the shootings of the Jews who were gradually arriving.\textsuperscript{185} This might be a legal subterfuge, but according to the former watchman Herbert Zurhorst, the battalion commander was in fact present at this location at the time.\textsuperscript{186} In any event, Behrens dictated the practical implementation of the executions. In this regard, he instructed his platoon officers to divide the Jews into groups and direct them to other sites for annihilation. One participant stated that the company commander conducted himself as a “master of the situation” and explained through large arm movements how the executions were to be organized,\textsuperscript{187} while another man stated that Behrens ordered them to shoot their prisoners at a gravel pit which the company had passed by on the way to the centre of the city. Accordingly, a large group comprising between 150 and 200 Jews was escorted to this location.\textsuperscript{188}

At the gravel pit, local Poles had gathered to watch the mass execution. In order to prevent these spectators from coming too close, an extra cordon had to be organized around the gravel pit.\textsuperscript{189} Further to the east, another group, approximately the same size, was taken to the Government-park.\textsuperscript{190} According to a statement, the victims were forced to dig their own graves after which they were shot.\textsuperscript{191} Fortunately, a group of around 100 Jews who were driven towards the Western outskirts of the city escaped death by a thread. As a couple of Wehrmacht officers drove by, they rebuked the policemen after which the prisoners were set free.\textsuperscript{192} Clearly, not everyone within the security division’s officer-corps was content with the shootings. Belonging to this category was also a high-ranking officer who angrily approached Behrens at the marketplace. According to statements, the argument was heated. The officer wanted the prisoners released, but Behrens brushed him off in a terse manner. In the end, the officer departed.\textsuperscript{193}

\textsuperscript{185} Behrens, Hans, Statement 20 February 1963 (BArch B 162, Bd. 1309), 561.
\textsuperscript{186} Zurhorst, Herbert, Statement 20 July 1960 (LAV NRW R, Gerichte Rep. 0247, Bd. 3), 352.
\textsuperscript{187} Krake, Dietrich, Statement 12 July 1962 (LAV NRW R, Gerichte Rep. 0247, Bd. 6), 969.
\textsuperscript{188} Effing, Heinrich, Statement 12 July 1962 (LAV NRW R, Gerichte Rep. 0247, Bd. 6), 966; Wuppertal Court Judgement 12 March 1968 (LAV NRW R, NW 875, Urteilsband 14012, 4110 E III B. 5489) 53.
\textsuperscript{189} Di Fabio, Josef, Statement 3 May 1962 (LAV NRW R, Gerichte Rep. 0247, Bd. 5), 865.
\textsuperscript{190} Wuppertal Court Judgement 12 March 1968 (LAV NRW R, NW 875, Urteilsband 14012, 4110 E III B. 5489), 52-53.
\textsuperscript{192} C., Tuwia, Statement 23 February 1966 (BArch B 162, Bd. 1312), 1308.
While these examples illustrate a degree of disinclination on the Wehrmacht’s behalf, the one man who at least nominally wielded the authority to stop the massacre took a posture which indicated approval. As the shootings unceasingly continued, two Jews desperately threw themselves at the feet of General Pflugbeil, who was standing at the stairs of the government building. In response to their pleas for the slaughter to stop, the General turned his back. A police man then approached and urinated on the Jews.\(^{194}\) Although it would be assumed that such a shameless act amounted to military indiscipline in the eyes of a General, it had no repercussions. At this critical point, Pflugbeil made no attempt to stop the massacre.

While the policemen from 1st company were preoccupied with carrying out the shootings, there were cruel scenes at 3rd company’s collection point where Orthodox Jews were forced to dance and had their beards cut off.\(^{195}\) Between two and three in the evening, zealous officers, including Schneider and sergeant major George Schwartz, then began to organize the hurling of the Jews into the synagogue.\(^{196}\) According to several statements, Buchs was at the scene and signalled his approval.\(^{197}\) Subsequently, Behrens also seized upon this initiative and ordered his men to escort the Jews who were still at the marketplace into the synagogue.\(^{198}\)

Around this temporal stage, 2nd company arrived.\(^{199}\)

Ultimately, platoons from all three companies were ordered to encircle the synagogue and form a double security cordon around it. According to the Wuppertal court judgement, the allocated manpower amounted to between 100 and 150 men.\(^{200}\) The watchmen who formed the inner cordon were ordered to shoot at any Jew who attempted to escape from the building.

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\(^{194}\) Wuppertal Court Judgement 12 March 1968 (LAV NRW R, NW 875, Urteilsband 14012, 4110 E III B. 5489) 44; Minutes from the Wuppertal Court Proceedings 19 March 1972, Sworn Court Statement Hermann Egeler (LAV NRW R, Gerichte Rep. 0247, Bd. 37), 51.


\(^{200}\) Wuppertal Court Judgement 12 March 1968 (LAV NRW R, NW 875, Urteilsband 14012, 4110 E III B. 5489), 56-59.
whereas the men who were assigned to the outer cordon were ordered not to let any non-Germans enter the area.\textsuperscript{201}

As the synagogue was filled with around 700 men, including a few women and children, the doors were barricaded.\textsuperscript{202} Heavy machineguns were then positioned in close proximity to these entry points. Subsequently, fuel tanks were unloaded from one of the battalion’s trucks and emptied around the entrances. Ignited by explosions from hand grenades, the synagogue then went up in flames. Through a desperate attempt some of the entrapped managed to break through the main entrance but were cut down by bullets. Others who jumped through windows were similarly shot when they landed on the outside square.\textsuperscript{203} According to the statement of the former watchman Wilhelm Leinemann, all of the policemen who stood guard at the inner cordon were shooting in these situations.\textsuperscript{204} Although it could be suspected that Leinemann might have attempted to relativize his own contribution to the crime by exaggerating the collective nature of the killings, this figure is tentatively rendered some credence by the statement of Rudolf Ihrig, who served in the same platoon. According to Ihrig, the victims who tried to escape the burning building were shot both with heavy and submachine machinegun fire as well as bullets from rifles which indicates a high number of shooters.\textsuperscript{205}

After the fire had lasted approximately an hour, the last screams died out. However, it soon spread to encompass a large part of the Jewish quarter and claimed more deaths. Despite efforts to contain it by the police battalion and Wehrmacht units, it continued to burn throughout the night.\textsuperscript{206}

It was first when the fire started that Pflugbeil took action. Weis, who was in a intoxicated state, was summoned and rebuked with strong words.\textsuperscript{207} Given his prior passivity, the indications are that the General’s dissatisfaction was not related to the killings themselves but to the way they had been conducted and first and foremost because of the destruction caused


\textsuperscript{202} Wuppertal Court Judgement 12 March 1968 (LAV NRW R, NW 875, Urteilsband 14012, 4110 E III B. 5489), 57.

\textsuperscript{203} Ibid., 57-58.


\textsuperscript{205} Ihrig, Rudolf, Statement 26 September 1963 (LAV NRW R Gerichte Rep. 0247, Bd. 10), 1790.

\textsuperscript{206} Wuppertal Court Judgement 12 March 1968 (LAV NRW R, NW 875, Urteilsband 14012, 4110 E III B. 5489), 58-60.

by the fire. As a result, a meeting was held the following day at division headquarters where it was decided to cover up the incident, and in the formal combat report it was then falsely stated that the synagogue had been destroyed because shots had been fired from it. The reason for this deception appears to have been the public nature of the crimes. In this connection, it is instructive that the story of the synagogue fire started to spread beyond the city, and several soldiers had taken pictures and showed them to Jews in other cities to taunt them with what awaited. Even the British newspaper the Manchester Guardian was able to present a relatively accurate recount of the massacre slightly a year after its perpetration. Evidently in order to avoid such indiscretions in the future, Pflugbeil instructed that future killings of civilians were only allowed in case of resistance and should be carried out away from onlookers. At the same time, efforts to conceal the victims of the synagogue fire were made. Under the supervision of the police battalion’s 2nd company, Jews and Poles were forced to transport the dead bodies to the city’s Jewish cemetery where they were buried in mass graves.

Within the police battalion, the only negative sanctions did not pertain to the killings. The morning after the massacre, Buchs ordered an inspection of his men’s property and took punitive actions against two watchmen who had plundered. As for the Wehrmacht’s stance, Pflugbeil expressed his full approval of the conduct of all units inserted in the city. Moreover, several of the battalion’s regular and non-commissioned officers subsequently received Iron Crosses, including Weis, Behrens, and Buchs. This aptly demonstrates that the Security Division had attuned itself to the “War of Annihilation”. However, it does appear that the perpetrators within the police battalion had learned one lesson: during a subsequent massacre

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208 Hamburger Institut für Sozialforschung., *Verbrechen der Wehrmacht Dimensionen des Vernichtungskrieges 1941-1944*, Chapter 10, “‘Ein Stolzer Tag in der Kampfgeschichte’ Die 221. Sicherungsdivision in Bialystok”.

209 Gerlach, *Kalkulierte Morde*, 543, fn. 244


211 Wuppertal Court Judgement 12 March 1968 (LAV NRW R, NW 875, Urteilsband 14012, 4110 E III B. 5489), 60.


213 Hamburger Institut für Sozialforschung., *Verbrechen der Wehrmacht Dimensionen des Vernichtungskrieges 1941-1944*, Chapter, 10, 10.
in a village named Dobrajanka, the Jews were escorted towards a remote location where they were executed and buried.\textsuperscript{214}

**The My Lai Massacre**

**The War in Vietnam**

In 1968, the year where the My Lai massacre took place, American participation in the Vietnam war had become substantial. Starting with the sending of military advisors and financial aid under the John F. Kennedy administration in the early 1960s, the contingency of deployed troops stood at 184,000 in 1964 and was enlarged under President Lyndon Johnson; in 1969, 541,000 American troops were stationed in South Vietnam.\textsuperscript{215}

The larger rationale behind this engagement was to prevent a takeover of South Vietnam whose army, the Army of the Republic of Vietnam (hereafter ARNV), was fighting an increasingly desperate struggle against the communist North Vietnamese forces. With the growing involvement, the American troops became engaged in an effort both to clear the South Vietnamese countryside of guerrillas, the Viet Cong (hereafter VC), fighting a more conventional war against the North Vietnam Army (hereafter NVA) along the western and northern border of South-Vietnam, as well as bombing targets in Laos and, subsequently, Cambodia in order to disrupt the enemies’ supply lines.\textsuperscript{216} The most concentrated bombing increasingly became reserved for North Vietnam as part of President Nixon’s attempt to compensate for the withdrawal of ground troops by bombing the country to submission.\textsuperscript{217} In terms of total tonnage deployed, the War in Vietnam is unprecedented in history: between 1966 and 1968 alone more bombs were dropped on Vietnam, Cambodia, and Laos than during the Second World War in all theatres.\textsuperscript{218}

The attempt to eliminate the VC guerrillas in South Vietnam is a prime example of asymmetrical warfare. As the first American combat forces began to arrive in 1965 with vastly superior equipment and armaments compared to the guerrillas, the latter avoided open confrontations and resorted to hit and run strategies instead. At the same time, as the guerrillas

\textsuperscript{214} Wuppertal Court Judgement 12 March 1968 (LAV NRW R. NW 875, Urteilsband, 14012, 4110 E III B. 5489), 74-77.

\textsuperscript{215} Greiner, *War without Fronts*, 112.

\textsuperscript{216} Ibid., 67-68.

\textsuperscript{217} Ibid., 52-53.

\textsuperscript{218} Ibid., 28.
did not wear uniforms and blended in with the local population they could not be easily identified.\textsuperscript{219} To counter such tactics, decision makers within the political and military elite wanted to incorporate development strategies within the overall pacification framework to win over the “hearts and minds” of the local population.\textsuperscript{220} While this was how the war was framed in the American media, in reality it was not the choice that was taken. Instead, the course, which was embarked on, entailed isolating the rural population from the guerrillas through resettlement in what was dubbed strategic hamlets, essentially refugee camps. This policy had already been adopted by the South Vietnamese government but it was expanded considerably with the increasing American involvement in the war.\textsuperscript{221}

The destructive policy was adopted with varying degrees of intensity in the different areas of South Vietnam contingent upon the estimated scale of the guerrillas’ presence.\textsuperscript{222} For example, in Quang Ngai province, where it was regarded as ubiquitous and the local villagers were deemed to be highly supportive of their cause, 70 percent of all settlements in the province had been laid to waste by 1967. At the same time, an attempt to evacuate over half the rural population was undertaken. However, the problem with the resettlement strategy was that a large number of the villagers were reluctant to leave their homes both because of the poor conditions in the camps and because the villages were their ancestral homes, albeit ties with the VC insurgents cannot be ruled out for some.\textsuperscript{223} At any rate, the guiding logic was that villagers who refused settlement did so because they harboured Communist sympathies. This was encapsulated in the supreme commander of the Military Assistance Command Vietnam (hereafter MACV) General Seymour Westmoreland’s “colour strategy” of deterrence:

\begin{quote}
If the people are in relocation camps, they’re green, so they’re safe. We leave them alone. The Vietcong and NVA are red, so we know they’re fair game. But if there are people who are out there - and not in the camps - they’re pink as far as we’re concerned. They’re Communist sympathizers. They were not supposed to be there.\textsuperscript{224}
\end{quote}

The MACV’s intention for these civilians was never directly spelled out. However, it is clear that systematic killing was not contemplated. From March 1966, when the war became recognized as an international conflict, the American military was obliged to adhere to the

\textsuperscript{219} Ibid., 31-32.  
\textsuperscript{220} Ibid., 57-59; Michael Bilton and Kevin Sim, \textit{Four Hours in My Lai} (New York: Penguin, 1993), 29-30.  
\textsuperscript{221} Greiner, \textit{War without Fronts}, 74-75.  
\textsuperscript{222} Ibid., 67-68.  
\textsuperscript{223} Ibid., 73.  
\textsuperscript{224} Ibid., 155.
Hague and Geneva conventions.225 However, already since 1964 the importance of reducing non-combatant casualties to a minimum had been emphasized in the rules of engagement, which were disseminated to all units. Throughout the war, the MACV continuously issued directives which underlined the priority of this objective.226

Still, as Bernd Greiner emphasizes the rules of engagement were problematic in key regards. Most pertinently, several regulations concerning the protection of non-combatants could be suspended on the grounds of military necessity. Accordingly, settlements could be attacked without prior warning of the inhabitants if the commanding officer deemed it necessary for the sake of keeping the element of surprise. Furthermore, after a large-scale offensive by NVA and VC forces in January/February 1968, known as the Tet-offensive, caught the American and ARVN forces off guard, General Westmoreland temporarily countermanded key regulations for the protection of non-combatants in the northern provinces of South Vietnam in order to increase operational flexibility. This meant that commanders could now attack inhabited areas without restrictions on deployed weapon and forces.227 Perhaps most importantly, for some units the obligation to incorporate contingency measures for the evacuation of civilians prior to offensive plans was no longer mandatory.228

To approach the question of the scale of the violence, the lowest estimate stands at a death toll of 627,000 Vietnamese civilians during the years the United States was involved in the war.229 However, an official 1995 Vietnamese Government survey has made an estimate as high as two millions.230 Regardless of which figure approximates the truth to the highest degree, there has to my knowledge not been any attempts to quantify the amount of these deaths which can be ascribed to the American military and their allies in comparison to the NVA and the VC respectively which is perhaps also impossible due to the lack of reference data.231 However, given the massive tonnage employed by the American air-force coupled with the findings of an internal study by the Department of Defence, revealing that 96 percent

225 Ibid., 290.
227 Greiner, War without Fronts, 186.
229 Greiner, War without Fronts, 30.
231 On the lack of reference data, see Greiner, War without Fronts, 14.
of all sorties were directed against unspecified targets often in densely populated areas, there is ground for assuming that a large number of Vietnamese civilian deaths were claimed by American air strikes.\textsuperscript{232} Accordingly, a notion of surgical precision cannot be reconciled with reality.

Concerning American atrocities committed in closer proximity to the victims, it is clear that the notion of the My Lai massacre as an isolated aberration is not sustainable. Largely based on the declassified records of the Vietnam War Crimes Working Group (a task-force set up in late 1970 by the Pentagon to pre-empt other potential war crimes scandals similar to My Lai), historians and journalists have recently documented several instances of mass killings.\textsuperscript{233} Most noticeably, a 45-men strong special force unit called Tiger Force “murdered hundreds, possibly over a 1000, peasants in the space of a few weeks” as Bernd Greiner notes.\textsuperscript{234} Furthermore, during a prolonged offensive named Speedy Express helicopter pilots killed - with a conservative estimate - between 5000 and 7000 civilians.\textsuperscript{235}

High as these numbers are, the fact that investigations were initiated is important in the sense that it testifies to that such killings were not explicitly positively sanctioned. This point is substantiated by the fact that several commanders continuously asked the MACV for directions on how to control the behaviour of troops who engaged in excessive violations against South Vietnamese villagers.\textsuperscript{236} At any rate, while the exact extent of American atrocities will never be known, the My Lai massacre remains the largest single massacre perpetrated by American forces in Vietnam known to date.

\textbf{C Company}

The unit responsible for the My Lai massacre C Company belonged to the 1st Infantry Battalion of the 11th Brigade which in Vietnam operated as part of the Americal Division. The 11th brigade was activated in Hawaii in 1966 and was commanded by Brigadier General Andrew Lipscomb until 15 March, 1968, when Colonel Oran Henderson took over its

\textsuperscript{232} Ibid., 70.
\textsuperscript{233} The studies which have utilized this source material are: Turse, \textit{Kill Anything That Moves}; Michael Sallah and Mitch Weiss, \textit{Tiger Force} (London: Hodder and Stoughton, 2007); Greiner, \textit{War without Fronts}.
\textsuperscript{234} Greiner, \textit{War without Fronts}, 16.
\textsuperscript{235} Ibid., 16.
\textsuperscript{236} Ibid., 125.
leadership. The brigade’s 1st battalion comprised three companies: A (Alpha), B (Bravo) and C (Charlie). The latter included three regular and a mortar equipped weapon platoon, and a command group. In December 1966 Captain Ernst Medina was assigned to lead it.

Medina was born in 1936 and came from a poor Mexican-American family. Having served in the army for ten years before assuming command of the company, he had ample experience with troops as a non-commissioned officer before his graduation as a regular officer. He quickly became revered by a majority of the men in the company.

At the time of the My Lai massacre, the man who was leading 1st platoon was Lieutenant William Calley. Born in 1943, Calley descended from a middle class family and attended six months of training as a junior officer in 1966 after having served a short term as an army clerk. The company’s 2nd platoon was led by Lieutenant Stephen Brooks, of whom not much is known aside from the fact that he died in combat shortly after the massacre. The leader of 3rd platoon, Lieutenant Jeffrey Lacross, first joined the company in late February 1968 and was a student when questioned by the Peers Inquiry. In total, the company had an authorized strength of six officers and 175 soldiers at the time of deployment but a lower field operating strength.

In terms of profile, the Peers Inquiry’s findings revealed that the personnel from the company showed no major deviation from the average American infantry unit employed in Vietnam except for a comparatively high educational level. Especially, the non-commissioned officers had a higher percentage of high school graduates and men with college credits than was typical. At the same time, however, the training of both the platoon leaders and non-commissioned officers had been minimal as illustrated by Calley’s promotion to second lieutenant before arriving in Vietnam broke procedural rules.

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239 Bilton and Sim, Four Hours in My Lai, 52.
241 Bilton and Sim, Four Hours in My Lai, 49, 53.
244 Ibid., 9.
245 Greiner, War without Fronts, 94.
As for the rank and file their median age was 21.6 and only eight percent of them were recruited as part of Project 100,0000 compared to an average 12 percent for infantry units.246 This project was launched by the Pentagon due to an increased need for troops and facilitated the entry of manpower who would otherwise have been rejected on the grounds of mental deficiencies.247 A sample on the occupations of 34 former rank and file reveals the majority of the soldiers came from the lower classes of society (see Figure 7).248 This is also illustrated by around half of them were black, a highly impoverished minority.249

During the company’s activation in Hawaii, the men received twelve months of training which included routine instructions on the handling of prisoners of war.250 However, the Peers Inquiry discovered that the teaching on the rules of engagement and the Geneva convention had been marginal due to an acceleration of the training program triggered by an earlier deployment date than was originally expected.251

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247 Greiner, War without Fronts, 115-116.
248 As a large number of the former soldiers from the company declined the Peers Inquiry’s subpoena and others were still in the army when questioned, the sample is, unfortunately, rather small.
249 Greiner, War without Fronts, 193.
After the company arrived to Duc Pho in the southern part of Quang Ngai province in December 1967, the soldiers received further training and were assigned to patrolling. In this connection, they were issued pocket cards which emphasized the importance of treating the local population with respect. According to a testimony, Medina also made a speech at this stage where he underlined the necessity of gaining the goodwill of the Vietnamese people. Furthermore, the encounters with the locals in this setting were of a benign nature where candy was handed out to the children who would gather around the troops.

**Pictures of Charles Calhoun, Oran Henderson, Eugene Kotouc, and Ernest Medina.**


In the end of January 1968, C Company was transported to northern Quang Ngai together with the two sister companies from 1st Battalion in order to join the newly formed 500 men strong Task Force Barker. This formation was named after its commander, Lieutenant Colonel Frank Barker, and its staff was drawn from 11th Infantry Brigade and included operational executive officer Major Charles Calhoun and intelligence officer Captain Eugene Kotouc.

Compared to Duc Pho, the VC guerrillas had maintained a presence in the Task Force’s designated area of operation and under the framework of a mission codenamed *Muscatine*, the task force was to locate and destroy the VC 48th Local Force Battalion believed to be

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252 Ibid., 8.
roaming around in the area. During patrols, C Company suffered four deaths and 38 wounded in action to snipers, booby traps, and land mines without being able to engage the enemy.256 Simultaneously, soldiers from this unit displayed an increasingly brutal conduct towards the local civilian population, and rapes became an endemic phenomenon in combination with individual acts of murder.257

**The Orders Prior to the Massacre**

On 15 March 1968, Barker and the newly installed commander of 11th Brigade, Colonel Henderson, summoned the Task Force’s company leaders at the Landing Zone Dottie where the formation was stationed. The briefing pertained to the execution of an operation that was to take place the following day.258 The Task Force was to conduct an offensive in the village of Son My where the hamlet Xom Lang was located (My Lai).

As no deployment plan for this operation was written, the exact intelligence that formed the rationale for its execution cannot be pinpointed. What is clear, however, is that the task force officers suspected that elements from the VC 48th Local Force battalion would be dispersed throughout the village and the surrounding hamlets.259 The three infantry companies were to entrap and eliminate these forces and destroy the infrastructure that supported them. This was a search and destroy mission,260 officially defined as operations “conducted for the purpose of seeking out and destroying enemy forces, installations, resources and base areas”.261 C Company would be dropped out by helicopters west of the Xom Lang hamlet after which the unit was to comb through and destroy the settlement; Medina was told to expect the presence of an enemy force comprising around 200-250 VC fighters.262

Concerning the potentiality of present civilians, the plan did not encompass any contingency measures for their evacuation which according to Henderson's testimony was due to an oversight on his behalf.263 However, the officer responsible for coordinating the

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256 Ibid., 8-11
259 Ibid., 4.
260 Ibid., 1.
operation, Charles Calhoun, testified that he and Barker had discussed the issue of non-combatants and inquired about spare capacity in proximate resettlement camps prior to the briefing.\(^{264}\) The reply was negative,\(^{265}\) but rather than caution the company commanders to exercise prudence and discrimination in their targeting either Barker or Ernst Kotouc made two allusions which the source material indicates were untrue.

Firstly, it was told that the villagers had been warned of the impending attack by leaflet drops and aerial broadcasts. Secondly, remarks were made to the effect that the people would be away at the market at the time of the assault.\(^{266}\) The Peers Inquiry found no evidence substantiating the effusion of warning measures,\(^{267}\) and the veracity of the second assumption is also disputable. When questioned, both Calhoun and Kotouc admitted that such a belief was unrealistic.\(^{268}\) Pressured by the investigators, the former testified that he estimated that approximately 100 civilians would be in the hamlet at the time of the assault.\(^{269}\)

Following the task force briefing, Medina called the men from his company together to inform them of the upcoming mission. Just prior, a memorial service had been conducted for a fallen non-commissioned officer from the company and an emotional atmosphere prevailed.\(^{270}\) As Medina was venerated by the majority of the soldiers, it is evident that his words were bound to have great effect on the subsequent chain of events.

Although there are discrepancies in the testimonies concerning what he told, the Peers Inquiry surmised that he reiterated the main points from the task force briefing: the company would be facing a strong enemy force, the villagers had received warning measures and would be away at the market. Furthermore, the hamlet was to be levelled. Medina’s own addition was made by framing the operation as “grudge match” as he stressed that this was a chance to get even or revenge for the casualties which the company had sustained.\(^{271}\)


\(^{267}\) Ibid., 4-5.


\(^{270}\) Bilton and Sim, *Four Hours in My Lai*, 97.

Although the precise phrasing is contended, it is underlined in some testimonies that a soldier posed a question to the effect of women and children were to be killed.\textsuperscript{272} This illustrates that the presumption that the villagers would be away at the market was not blindly accepted which was also admitted by several of the former company members.\textsuperscript{273} During Lieutenant Calley’s court-martial, Medina stated that he gave the following answer, “No, you do not kill women and children. You must use common sense. If they have a weapon and are trying to engage you, then you can shot back, but you must use common sense.”\textsuperscript{274} This version is uncorroborated and most certainly reflects Medina’s legal self-interest. At this time, he had not yet been discharged from the army and his own court martial was impending.\textsuperscript{275}

Ultimately, it is impossible to reconstruct what exactly was told as the various witnesses gave widely different versions; whereas several alleged that they gained the impression that Medina’s order only related to younger adult males of military age,\textsuperscript{276} some claimed that it encompassed all villagers regardless of age and gender,\textsuperscript{277} while some stated that the instructions had no bearings for civilians.\textsuperscript{278} While suspects who testified that Medina gave an embracive killing order might have done so because of legal considerations, a similar version was rendered by individuals who were not incriminated.\textsuperscript{279} When taking a polygraph test during his court-martial, conducted by the leading expert in the United States, it was


\textsuperscript{274} Quoted in Bilton and Sim, Four Hours in My Lai, 98.

\textsuperscript{275} On Medina’s court martial see Greiner, War without Fronts, 329-331.


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interpreted as truthfully when Medina denied to have intentionally inferred to his men that they were to kill unarmed, unresisting non-combatants.\textsuperscript{280} In light of this, I find it most probable that the company commander did not explicitly ordered the killing of women and children, but some made the interpretation that he did.

\textit{Anatomy of the Massacre}

The hamlet of Xom Lang had an estimated 700 inhabitants at the time of the operation. Contrary to the presumption of the task force officers, the 48th Local Force Battalion was not present. However, there were around ten VC guerrillas in the hamlet, four of them armed, but none of these individuals offered any resistance.\textsuperscript{281}

Shortly before C Company’s arrival, the western outskirts of the hamlet and the designated landing zone west of it had been bombarded by artillery fire. This was followed by the emergence of Shark assault helicopters which fired suppressive rounds into the settlement.\textsuperscript{282} The havoc triggered an exodus of mainly children and the elderly who tried to escape in a south western direction.\textsuperscript{283} Subsequently, helicopters carrying the first elements from C Company reached the landing zone at around 07.30. The soldiers jumped out and set up a perimeter. While 3rd platoon, Medina’s command group, and the mortar platoon initially remained in the vicinity of the landing zone, Calley and Brook’s platoons approached the hamlet.\textsuperscript{284} According to the operational scheme, 1st platoon was to comb through the southern part of the hamlet and 2nd platoon its northern half from west to east.

The progression and organization of the violence differed conspicuously between the two platoons. After sporadic killings upon entry into the hamlet, including acts of mutilations,\textsuperscript{285} the majority of the soldiers from 1st platoon started to round up the villagers. In this connection, at least 61 people - mainly women and children\textsuperscript{286} - were driven to a rice paddy.

\textsuperscript{280} Remarks of Chief Prosecutor William Eckhardt - The Results of Ernest Medina’s Lie Detector Test.
\textsuperscript{281} Greiner, \textit{War without Fronts}, 216.
\textsuperscript{286} The Peers Inquiry operated with a more conservative estimate of 20-50 villagers, but according to Bernd Greiner, the CID was able to identify 61 corpses at the rice paddy. Compare PI-FR Vol. I. Report of the Investigation, Chapter 6: Company C, 1st Battalion, 20th Infantry: Actions on 16 and 17 March 1968, 8; Greiner, \textit{War without Fronts}, 228.
just south of the hamlet while another group was escorted to an irrigation ditch located south east of the hamlet.287

Figure 8. C Company Movements in Xom Lang and Binh Tay.

While soldiers from 1st platoon rounded their victims, the villagers encountered by the 2nd platoon were shot on the spot. The unit moved swiftly and no detainees were taken, but in a

few cases some victims were huddled together and mowed down with M16s immediately.\textsuperscript{288} At the same time, the sweep was accompanied by depravities such as torture and rapes.\textsuperscript{289} The question of why soldiers from 2nd platoon, in contrast to men from 1st platoon, did not round up the victims is difficult to gauge. However, judging from the fact that rapes were committed during this rapid advance, the indications are that Brooks had lost control of his men. In any event, the discrepancy in the conduct of the two platoons underlines that the organization of the violence did not follow a pre-coordinated plan.

Based on the testimonies, it is clear that the reason why the soldiers from 1st platoon rounded up the victims was not to concentrate them in order to expedite their annihilation, but because it was standard procedure to segregate the villagers as a prelude to questioning.\textsuperscript{290} It is illustrative, in this regard, that some of the men started to play with children and offered them candy while guarding them.\textsuperscript{291} What triggered the executions is disputed. During his court-martial, Calley testified that Medina was complaining over the radio about the platoon’s lack of speed and demanded that he got in position east of the hamlet. In order to speed up the movement, he was ordered to “waste” the detainees.\textsuperscript{292} Although this version is possibly a legal subterfuge, an analysis of the radio traffic revealed that the two officers were in contact around that time which lent some probability to it.\textsuperscript{293} On the other hand, at least one of the former platoon members had the impression that Calley misinterpreted Medina’s instructions.\textsuperscript{294} In any event, Calley emerged around 9.00 at the rice paddy and together with the soldier Paul Meadlo he shot the villagers with his M-16. A close reading of the testimonies indicates that around five soldiers confined themselves to the role as onlookers in this situation.\textsuperscript{295}

A similar mass execution occurred shortly afterwards when Calley reached the irrigation ditch where 110 villagers had been rounded up at this stage. According to the CID, the number of shooters in this situation amounted to eight out of the approximately fifteen

\textsuperscript{288} Ibid., 8.
\textsuperscript{293} Greiner, War without Fronts, 227.
soldiers who were present.\textsuperscript{296} Apparently dissatisfied with this ratio, Calley pointed his M-16 at the soldier Robert Maples and threatened him with court-martial for disobeying his order. However, when other soldiers positioned themselves in front of Maples in order to protect him, the platoon leader gave up.\textsuperscript{297}

In the meantime, after 2nd platoon had left a blood-stained trail through the northern part of Xom Lang, Brooks received a radio transmission requesting him to move his unit north of the hamlet in order to collect the weapons of two VC fighters who had been shot by a Shark helicopter. After some soldiers had recovered these weapons, the platoon moved into the sub-hamlet Binh Tay, slightly further to the north.\textsuperscript{298} In this settlement, the dreadful pattern of murder, cruelties, and rapes continued.\textsuperscript{299} In one case, the platoon’s grenadier, Roschewitz, forced several women to undress with the intention of raping them all. Because the victims resisted, he fired volleys in the middle of the group with his grenade launcher instead.\textsuperscript{300}

Around 9.15, in the midst of the carnage in Binh Tay, Brooks relayed an order from Medina to stop the shooting and return to Xom Lang. What is puzzling is that no such order was given to the two other platoons which continued the bloodletting.\textsuperscript{301} Any explanation to this enigma has not been provided by the secondary literature. It merits attention, however, that the platoon’s movement into Binh Tay was a deviation from the operational plan.\textsuperscript{302} Although it is unclear if this alteration was ordered by Medina, there is no question that the unit was not supposed to have stayed in this location for over an hour which illustrates that Brooks had lost complete control. In any event, Medina’s order caused the killings to cease although the rapes apparently continued for a time.\textsuperscript{303} Eventually, the 50 remaining survivors of Binh Tay were told to evacuate their settlement after which it was burned down. The platoon then returned to Xom Lang.\textsuperscript{304}

\textsuperscript{296} Greiner, \textit{War without Fronts.}, 229-230.
\textsuperscript{299} “Varnado Simpson Testimony to U.S. Army CID 1969” in, Olson and Roberts, \textit{My Lai}, 89.
Earlier at the landing zone, 3rd platoon had been instructed to search for a weapon belonging to a VC fighter who had been shot by a Shark helicopter south-west of the village. In this connection, soldiers from the platoon opened fire on the exodus of villagers who were attempting to flee.305 At around 8.45, the platoon then entered the hamlet followed by Medina’s command group and the weapon platoon.306 Just prior to this, Medina had shot and wounded a woman, and then killed her with another gunshot at close range. Medina testified that this was an act done in self-defence as the woman made a threatening gesture with what he thought was a weapon or grenade,307 but according to one witness it was point-blank murder.308 In any event, in Medina’s presence soldiers from the command-group, the weapon and 3rd platoons killed survivors left behind by the first sweep at the same time as the hamlet was systematically destroyed.309 Besides the killings, sexual abuses and other depravities were also committed at this stage. In total, the CID determined that at least 20 females were raped in Xom Lang and Bihn Tay. Most of these victims were killed afterwards; the youngest was ten years old.310

While the testimonies indicate that Medina had no interest in putting an end to the massacre, one individual displayed a conduct to which principled opposition connotes an apt description: when orbiting at low altitude, the helicopter pilot Warrant Officer Hugh Thompson had become a witness to the unfolding massacre. After having been rebuked by Calley at the irrigation ditch just prior to commencement of the mass execution, he made an attempt to help the villagers and landed at the north-eastern part of the hamlet where 2nd platoon was ominously closing in on a group of villagers who had taken refuge in a dugout.311 Although they had spared the survivors in Binh Tay just prior, the subsequent progression of events strongly suggests that Brooks and his men intended to claim these people as victims. When Thompson landed the helicopter and approached the lieutenant with a request for evacuating the villagers, Brooks answered that the only way to get them out was with a hand-

grenade. Thompson then instructed his door-gunners to open fire on the troops if they tried to prevent his planned rescue action. Between twelve and sixteen people were brought to safety by other helicopters he had summoned.\textsuperscript{312}

Shortly after the villagers in the dugout had been evacuated, the company sustained its only casualty of the day: the soldier Herbert Carter had shot himself in the foot.\textsuperscript{313} If this was accidental or done deliberately because of distress over the killings is disputed.\textsuperscript{314} However, according to one soldier, Carter “looked like he had seen a ghost and was pretty troubled,” after having witnessed the killings at the rice paddy.\textsuperscript{315} Shortly after this incident, the massacre finally came to a halt. Medina relayed an order from Major Calhoun to stop the killings.\textsuperscript{316} In response, the killings ceased promptly albeit only a few villagers remained alive at this point.\textsuperscript{317}

Why Calhoun, Henderson, and Barker had not stopped the massacre at an earlier point was a focal question of the Peers Inquiry but could only be inadequately answered. What is noteworthy, however, is that Henderson was orbiting over the hamlet at the onset of the operation and even landed to pick up two suspected VC fighters who had been cornered by Shark helicopters. At this stage, he admitted to having observed dead non-combatants.\textsuperscript{318} As a result of this sight, he made a transmission around 9.00 to the higher officers of Task Force Barker (including Medina) where he stressed, “I don’t want any unnecessary killing down there.”\textsuperscript{319}

Apparently, Henderson’s transmission did not prompt the massacre to cease, and it took the more direct and unambiguous order from Calhoun to stop it. Most plausible, radio transmissions from helicopter pilots to Medina monitored on the task force net were what catalyzed this belated intervention. One of these was quoted as, “From up here it looks like a blood-bath. What the hell are you doing down there?”\textsuperscript{320} Ultimately, it is most probable the

\begin{itemize}
\item \textsuperscript{312} Ibid., 15; Greiner, \textit{War without Fronts}, 231-232.
\item \textsuperscript{314} Greiner, \textit{War without Fronts}, 230.
\item \textsuperscript{315} Olsen, Gregory T., Testimony 30 December 1969 (PI-FR Vol. II Book 25 APP T-47), 22.
\item \textsuperscript{317} Maroney, Leo M., Testimony 31 December 1969 (PI-FR Vol. II Book 28 APP T-51), 36-37.
\item \textsuperscript{318} PI-FR Vol. I, Report of the Investigation, Chapter 10: Reports, Investigations and Reviews, 3.
\item \textsuperscript{319} Ibid., 6.
\item \textsuperscript{320} PI-FR Vol. I, Report of the Investigation, Chapter 10: Reports, Investigations and Reviews, 7. See also Greiner, \textit{War without Fronts}, 235-236.
\end{itemize}
accumulation of such information caused Barker to step in and instruct Calhoun to make contact with Medina.\textsuperscript{321} In this connection, it is significant that Calhoun’s instruction to stop the killings was transmitted via the company- rather than the task force net, most likely in order to preclude monitoring by higher headquarters as the Peers Inquiry surmised.\textsuperscript{322} This is important in the sense that it highlights that these officers feared negative sanctions.

Immediately following the end of the massacre, steps to cover it up were taken and a fictionalized combat report was submitted to the MACV documenting a tally of 128 enemy combatants killed in action and 20-28 non-combatant casualties as a result of the operation.\textsuperscript{323} The most present concern for the Task Force leadership was that Hugh Thompson had complained vociferously to his superior within his aviation unit. As a consequence, information on the atrocity gradually passed up through the chain of command ending with the commander of the Americal Division, General Samuel Koster.\textsuperscript{324} Koster, who himself had countermanded an order from Calhoun to Medina to return to Xom Lang and assess the extent of civilian casualties,\textsuperscript{325} instructed Henderson to launch an informal investigation. In essence, Henderson’s efforts in this direction confided themselves to superficial questioning of a few members from C Company after they had returned to Dottie.\textsuperscript{326} Subsequently, the colonel refuted the allegation of unwarranted killing of civilians in a written report which effectively ended the matter.\textsuperscript{327}

On 8 April, 1968, Task Force Barker was disbanded and C Company transferred.\textsuperscript{328} It would take one and a half year before what had happened in Son My became known to the American Public.

\textsuperscript{321} Michael Bilton and Kevin Sim assume that it was Hugh Thompson’s angry complaint at Landing Zone Dottie which triggered this intervention but this does not fit with the time sequence. Compare Bilton and Sim, \textit{Four Hours in My Lai}, 140-141; PI-FR Vol. I, Report of the Investigation, Chapter 10: Reports, Investigations and Reviews, 11.


\textsuperscript{324} Ibid., 11-15.


\textsuperscript{326} Ibid., 33-35.


\textsuperscript{328} Greiner, \textit{War without Fronts}, 237.
Comparative Analysis

In the preceding chapters, the analysis has provided information on the context of the massacres, the perpetrators, the orders given prior to the massacres, and the atrocities themselves. In addition to some new empirical insight, this information forms the backdrop for this comparative component of the empirical analysis where the social mechanisms of obedience to authority and victim devaluation, and their causal determinants will be analysed and discussed with attention to similarities and differences between the two cases. Given that it has a diachronic element, the logical starting point is the perpetrator’s perception of their victims.

Out-Group Categorizations and Stereotypes

As an introductory point, there are strong indications that victim devaluation was causally determinative of perpetration in both cases. Yet, the determinants at play were different and for the perpetrators in Police Battalion 309 they were more related to the macro-level context.

In this connection, it is of course well-known that a high degree of stigmatization of Jews and other “undesirable” population groups was embedded in the Nazi regime’s policies. How this macro-level determinant influenced the social institutional fabric within Police Battalion 309 is illustrated by the ideological indoctrination and that private conversations with Jews were forbidden. The staff officer Johannes Otto, who had served in the police before the Nazi regime’s power seizure, alleged that he could measure the effect of this indoctrination on the watchmen from the Anti-Semitic tunes they belted out in the canteen in Radom and the uttering of derisive slurs for Jews such as, “defilers of women, parasites, honourless villains and Jordanian rabble.”

If Otto’s account can be attributed credibility, it indicates that indoctrination was a very significant causal determinant of victim devaluation. However, the veracity of his information is difficult to assess. On the one hand, what speaks against his account is that his defence-strategy appears to have revolved around presenting a personal image as a traditional officer.

who, despite being surrounded by a sea of anti-Semitism, managed to retain integrity.\textsuperscript{331} On the other hand, what indirectly makes his account plausible is the coarse and abusive treatment of the Jewish work-force forcibly employed for the battalion in Radom.\textsuperscript{332} However, the fact that one former watchman recalled the full name of a Jewish labourer over twenty years later indicates that the institutional goal of segregation was not always successful, but this statement also stands out because of its rarity.\textsuperscript{333}

Turning to the war in Vietnam, there is a significant difference between the Nazi regime’s radical intentions and an American policy which officially propagated the goal of winning the “hearts and minds” of the South Vietnamese population. However, this does not preclude that a degree of racism embedded in American society had a causal significance on victim devaluation. This point is perhaps thrown into sharper relief when considering the young age and low social background of the company’s servicemen might generally have entailed a relatively limited cultural horizon.

Naturally, it is difficult to pinpoint how this socio-cultural baggage influenced the soldiers’ perception when they arrived in Vietnam. However, the benign nature of the company’s first encounters with the local villagers in Duc-Pho merits attention and gives credence to Bernd Greiner when he with reference to American combat units in general writes:

\begin{quote}
The jungle fighters had of course grown up in a society which had cultivated anti-Japanese prejudice before and especially during the Second World War, but there was no question of virulent aversion to the Vietnamese, particular against the background of solidarity with South Vietnam, orchestrated by politicians and the media for the purposes of resisting a common enemy.\textsuperscript{334}
\end{quote}

While this observation makes it clear that pre-existing hatred was not a significant causal determinant of victim devaluation, indications are that a perception of Vietnamese as different and perplexingly provided a backdrop for stereotypic out-group perceptions. In this relation, Michael Bernhardt from 2nd platoon directed attention to the incomprehension that flowed from the absence of a shared language facilitating the emergence of what he called the “dink complex”:

\begin{quote}
\textsuperscript{331} In particular, Minutes from Wuppertal Court Proceedings 19 March 1972, Unsworn Statement Johannes Otto (LAV NRW R Gerichte Rep. 0247, Bd. 37), 59.
\textsuperscript{332} K., Hubert, Statement 5 July 1963 (BArch B 162), 627; B., Philip, Statement 10 March 1966 (BArch B 162, Bd. 1312), 1298; P., Heinrich, Statement 21 March 1968 (BArch B 162), 2992.
\textsuperscript{333} E., Franz, Statement 16 February 1962 (BArch B 162, Bd. 1308), 296-297.
\textsuperscript{334} Bernd Greiner, \textit{War without Fronts}, 137.
\end{quote}
Q. [Patterson] When you speak of a “dink complex” were you referring to how American soldiers look upon the Vietnamese people? Yes, sir. Q. [Patterson] Could you explain that a little more. I think I know what you mean, but I'm not sure. A. [Bernhardt] All right, sir. From the way I look at it, I believe that it is mostly the linguistic bit. Now a person loses a certain aspect for being valued as a human being if you cannot understand him— rather if he doesn’t have the means of communication with somebody else. A lot of the men— to their way of thinking, since the Vietnamese were speaking something that we could not understand, felt that they weren’t communicating with anyone.335

The impression of incomprehension might have paved the way for less reflective remarks as when Gary Crossley from 2nd platoon in an interview described the Vietnamese as, “funny people. You can’t realize what they are thinking. They seem to have no understanding of life. They don’t care whether they live or die”336 Prejudiced as this remark sounds, it should be noted that the initial encounters with the locals do make it clear that a perception of difference was not tantamount to malicious scorn. This gives credence to the social-psychological view that there is no automatic correlation between perceptions of difference and enmity.

From a comparative perspective, there is a marked contrast between the nature of C Company’s initial encounters with the villagers in Duc Pho and the abusive treatment of the Jews in Radom. However, it is noteworthy that that there is no evidence that any Jews were claimed as victims by the police battalion in Poland. In contrast, the execution assignments solely encompassed Poles. Given the smaller magnitude of these killings compared to the subsequent massacre in Bialystok, it is tempting to contemplate the executions in Radom as marking the first step along a progressive “continuum of destruction”. However, seeing the massacre in Bialystok as an inevitable consequence of prior actions which needed to be rationalized by increasingly brutal conduct would be to ignore the shifts in the macro-level context which the war against the Soviet Union signalled. Most critical was the official framing of this war as a struggle against the “Judeo-Bolshevik” enemy.

In a similar fashion as the Jewish-Bolshevist equation, there are strong indications that a stereotypical out-group categorization came to underpin the perception of the Vietnamese villagers among the soldiers in C Company. In stark contrast, however, this categorization was not contingent upon mediations from above but evolved gradually as a result of the frustration and causalities which the company sustained. Most damaging was an mine-field incident and an extract from the testimony of the former artillery observer Roger Alaux gives an indication of its repercussions:

I believe we had come in contact with villagers which you could classify as civilian noncombatants. Okay, we walked by these people and 100 meters later we walk into a minefield and lose 25 to 30 people. So, as far as the rationale is concerned here, these people knew about the minefield. So, in the eyes of many people, and possibly my own eyes, these people are just as much a VC as the ones that actually planted those minefields.\footnote{Alaux, Roger L., Testimony 6 January 1970 (PI-FR Vol. II, Book 23 APP T-68) 12.}

Although the minefield was not located in the Son My vicinity,\footnote{Bernhardt, Michael, Testimony 8 May 1969 (TTU VVA, IG), 101.} indications are that this fact was not paramount. Rather, the incident triggered the process where the Vietnamese villagers in the operational zones increasingly became subsumed under the category of VC supporters. In several testimonies a strong aversion to the application of the concept of civilians in areas such as Son My is exhibited and a large part of the testimonies supports that the prototypical conception of a Vietnamese villager increasingly took the form of a VC supporter.\footnote{Bunning, Dennis M., Testimony 16 January 1970 (PI-FR Vol. II Book 25 APP T-168), 14; Lacroix, Lawrence C., Testimony 22 January 1970 (PI-FR Vol. II Book 26 APP T-207), 38; Moss, Tommy L., Testimony 5 January 1970 (PI-FR Vol. II, Book 26 APP T-63), 30; Flores, Abel, Testimony 3 January 1970 (PI-FR Vol. II, Book 27 APP T-60), 24; Smith, Gerald A., Testimony 30 December 1969 (PI-FR Vol. II, Book 27, APP T-48), 17-18; Williams, Franklin D., Testimony 26 January 1970 (PI-FR Vol. II, Book 25 APP T-239), 29-30.}

As a respected authority figure, Medina’s own attitude appears to have contributed to this categorization as his view of the local villagers was characterized by strong antipathy.\footnote{Bernhardt, Michael, Testimony 29 December 1969 (PI-FR Vol. II, Book 25 APP T-46), 28.} Still, it is important to note that the categorization did not encompass all Vietnamese nationals,\footnote{Alaux, Roger L., Testimony 6 January 1970 (PI-FR Vol. II, Book 23 APP T-68), 43; Flores, Abel, Testimony 3 January 1970 (PI-FR Vol. II, Book 27 APP T-60), 24-25; Glimpse, Steven R., Testimony 7 January 1970 (PI-FR Vol. II, Book 27 APP T-75), 17.} and, on this matter, it is instructive that the company comprised South Vietnamese interpreters. While one of these men possibly was assaulted by Medina after having expressed sympathy with the victims of Xom Lang,\footnote{Konwinsky, Joseph W., Testimony 29 January 1970 (PI-FR Vol. II, Book 24 APP T-271), 10.} there is no evidence that they were stigmatized in general. This is illustrated by that they participated in leisure activities with their American peers.\footnote{Phu, Nguyen Dihn, Testimony 1 January 1970 (PI-FR Vol. II Book 32 APP T-96), 6.}

For the rural villagers in the operational zones the situation was different, however, the result being that the stereotypical VC categorization became assigned to this population segment as a whole in line with Tajfel’s “categorization law”. How this attitude also included children is underlined by the testimonies of Gerald Smith and George Garza from 2nd and 3rd platoons:
They might have been called farmers, but that’s exactly who are the VC, the farmers and next they are VC. They are aiding the VC. And of the children or women there, no matter what age that was, if they could walk they were setting up the booby traps on the ground that was grinding up our company and other companies. That’s why I considered them VC.\textsuperscript{344}

I pictured the women, you know, the husbands, and brothers, and so forth were VC. Some women were VC. They were nurses. They took care of them. Kids who were old enough to carry a rifle might have cleaned them, might have hid them, could have set mines, or could have done anything. Now, if you mean a baby, I say--okay. A helpless baby, yes, that is too small to do anything. But what’s going to happen 5 years later, 3 years from then when the kid grows up and he’s big enough to handle something.\textsuperscript{345}

From a comparative perspective, the chilling reference to babies growing up as enemies has an ideological inflection which would not have been alien to Nazi Germany’s “War of Annihilation”.\textsuperscript{346} Still, if the subsuming of infants under this category was also the most significant causal determinant of their murder cannot be verified with complete certitude. At least for some of the men, the dead children constituted the only regretful aspect of the operation; as Dean Fields from 2nd platoon testified:

Well, killing old women and the old men that were there, I didn’t feel too bad about that. But the little kids, they were 6 months. How could they harm you? I don’t think it was very right to kill the little kids, but the older people, the VC sympathizers, they helped them out. It didn’t bother me if they killed them, but the little kids...\textsuperscript{347}

In line with cognitive dissonance theory, it is therefore a possibility that the subsuming of infants under the enemy category served as a subsequent rationalization for killings perpetrated in the “heat of the moment” during the massacre. This induction is tentatively supported by the testimony of sergeant James Raynor: upon joining the company one month after the My Lai massacre, he discovered to his disbelief that the soldiers were making remarks to the effect of, “if we kill the mothers, the women, they will not produce any more VC. And if we kill the kids they won’t become VC.”\textsuperscript{348}

Fear, Hatred and Cruelties

Although a uniform perception of the victims as belonging to the enemy category was a significant determinant of their devaluation in both cases, an important difference is that whereas the notion of the Jews as security threats due to their association with Bolshevism was strictly in the perpetrators’ heads in the case of Nazi-Germany’s “War of Annihilation”, C Company did in fact sustain casualties. This begs the sensitive question if the homogeneous categorization of the villagers as active VC supporters was at least partly rooted in reality. In relation to this matter, the Peers Inquiry noted that the War in Vietnam was “replete with instances of VC women bearing arms and killing US soldiers and children serving as boobytrap specialists”.349 However, this might be an exaggeration typical of the thinking of the American officer corps as Bernd Greiner refers to isolated cases of such instances.350 In any event, there is no question that the villagers’ failure to warn about mine-fields and booby traps triggered mistrust and perhaps even fear. Still, if the soldiers were actually afraid of their victims during the massacre requires some inspection. With what could be seen as supportive of such an argument, Bernd Greiner notes on Meadlo’s statement at Calley’s court-martial:

one can take it that Paul Meadlo was giving a subjectively honest answer when he was asked about the shooting of women and children in My Lai (4): ‘They might have had a fully loaded grenade on them. The mothers might have threwed [sic] them at us ... I expected at any moment that they were about to make counter-attack’.351

Yet, this version fits poorly with that Meadlo was one of the soldiers who played with the children just prior to the mass execution at the rice paddy.352 That the fear of the victims should not be exaggerated is also illustrated by that a soldier took the time to sit down and write an entry in his diary in the middle of the massacre.353

350 Greiner, War without Fronts, 128.
352 Dursi, James J., Testimony 5 January 1970 (PI-FR Vol. II, Book 24 APP T-64), 11. Although Meadlo provided a highly self-incriminating testimony to the IG, he became increasingly concerned over the possibility of prosecution despite that his term of service had terminated. This is illustrated by that when questioned by the Peers Inquiry, he exercised his legal right to refuse to testify on any transpirations during the massacre. Still further, the statement given during Calley court-martial appears coloured by an attempt to represent his actions in a more justifiable light; Meadlo, Paul D., Testimony 16 July 1969 (TTU VVU IG); Meadlo, Paul D., Testimony 5 January 1970 (PI-FR Vol. II Book 25 SUM APP T-65), 1.
On the other hand, there is no question that the company’s previous interaction with local villagers in the operational zones had catalyzed a widespread sense of mistrust and perhaps an underlying fear. In the context of Medina’s framing of the operation as a grudge match, indications are that such sentiments metamorphosed into a more vengeful and visceral hatred. Several testimonies relating to the soldiers’ sentiments subsequent to the briefing lend support to such an induction, “I would describe the mood as a feeling that they were going to wreak some vengeance on someone”\(^354\); “Everybody would like to see old Pinkville [Xom Lang] just down, you know, just can’t move.”\(^355\); “it seemed like it was a chance to get revenge or something like that for the lives we had lost.”\(^356\)

The most telling denotations of such virulent sentiments are the cruelties perpetrated during the massacre. Noticeably, there is testimony supporting that acts such as carving out aces of spades on the skin of bodies had the function of mocking the religious beliefs of the Vietnamese, who associated this sign with misfortune.\(^357\) Mutilations espoused a similar logic: as the villagers held the belief that a dismembered body cannot find rest in the beyond, these deeds constituted acts of punishments.\(^358\) As the former soldier Varnardo Simpson recounted when interview by the journalist Richard Hammer:

> They had told us that they are very religious and respect their religious thoughts. They said, if you kill someone or if you mutilate their body, they won't go to heaven or whatever they believe in; they are very religious about that. They can't stand to see anyone's body or parts of someone's body being mutilated.\(^359\)

While indications are that underlying fear coupled with revenge motives were causatively determinative of the vicious behavioural patterns, a possibility is that conditioning through indoctrination also had a role. On this aspect, Simpson explained:

> That day in My Lai, I was personally responsible for killing about 25 people. Personally. Men, women. From shooting them to cutting their throats, scalping them, to ... cutting off their hands and cutting out their tongue. [...] Once I started ... the training, the whole programing part of killing, it just came out.\(^360\)

\(^{358}\) Greiner, War without Fronts, 222-223.
\(^{359}\) Hammer, “Interview with Mylai Veterans”, 56-57.
\(^{360}\) Bilton and Sim, Four Hours in My Lai, 7.
The notion of aggressive proclivities internalized through indoctrination, which Simpson refers to, is also given emphasis in the secondary literature. However, such versions might also partly have served as a subsequent rationalization for killings and other depravities. In this connection, the public testimonies of veterans from other American army units give rise to a degree of such suspicion, “You can see this sadistic state of mind that my government put me into ... Don’t ever let you government do this to you. Okay - that’s me. I’m holding a dead body - smiling.” In contrast, Harry Stanley from C Company, who by all accounts did not display the macho image associated with the army, attributed little importance to the training, “I don’t see anything wrong with the training. The training makes good men as far as I could see. [...] It’s just what’s in the person, I think: the person himself.” Ultimately, while a causal relation between the indoctrination and the killings cannot be ruled out, it remains difficult to reach satisfactory conclusions on this aspect as it verges on the psychologically.

As for the German policemen’s attitude toward their victims during the massacre, indications are that the Jewish-Bolshevist conflation served as the overarching rationale for the initiation of the massacre. However, it is not a given that this stereotype was a significant causal determinant in the actual situations of perpetration. On this matter, it is noteworthy that there are no statements which support that the perpetrators feared their victims. In contrast, several of the former watchmen were adamant that they saw no military or security reasons for the operation at all. This documents that the security rationale of the massacre was specious and likely a pretext.

Admittedly, there are clear limits to what can be revealed on the men’s personal attitudes towards their victims because of the legal context surrounding the statements. Yet, some of them do provide glimpses of insight. In this connection, a rare admittance of ideological conviction was given by a former squad leader who stated he was not a stranger to Anti-Semitism at the time. At the same time, Erhard Miethe’s concession that he did not see any

361 Greiner, War without Fronts, 127-130; Grossman, On Killing, 251-263.
362 Ibid., 21.
363 Ibid., 21.
reason to step in when Jews were being harassed leads to a similar inference.  

Another conspicuous account was made by a watchman who served in 1st company: when questioned on his frame of mind during the round-up, he stated that he virtually had no thoughts as he focused on getting the task done.  

In addition, it is also noteworthy that Anton Middecke from 3rd company admitted to have chased away a woman and her child when they tried to attend the wounds of their male relative who was lying dying on the street. In court, Middecke justified this behaviour with the following remark, “somebody might have come and thought I was sympathizing with them.”

As these examples encapsulate a degree of indifference and lack of compassion, they illustrate the Jews were beyond the perpetrators’ “universe of obligation” and could be victimized without fear of negative sanctioning. This point is thrown sharper into relief when considered that only one battalion member alleged to have prevented Jewish women and children who refused to depart from their husbands and fathers from sharing their death. In this relation, the Wuppertal court believed Friedrich Rondholz, when he claimed to have sorted some children and women out from the rows after which he passed on Behren’s order to organize the killings of the male Jews to a subordinate. The court’s rationale was that through his account Rondholz had also incriminated himself as an abettor to the killings.  

However, given the absence of any corroborating statements, I am hesitant to draw any conclusions on the depiction’s veracity.

At the same time, it is also instructive some of the policemen already started to kill during the round-up without any explicit orders to do so. In this connection, an extract from a statement provides a cue to the mindset that guided these initial murders, “I do not recall an explicit shooting order, but I have to say that the general opinion was that in case Jews were shot during this operation it would not cause a big fuss.” Such blatant disregard for the value of the victims’ lives is particularly clear in the case of Heinrich Schneider, who confessed to killing four males during the round-up despite the absence of an order from his superior.  

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369 Wuppertal Court Judgement 12 March 1968 (LAV NRW R, NW 875, Urteilsband 14012, 4110 E III B. 5489), 44.
370 Wuppertal Court Judgement 12 March 1968 (LAV NRW R, NW 875, Urteilsband 14012, 4110 E III B. 5489), 111-114.
371 M., Karl, Statement (BArch B 162, Bd. 1310), 754.
372 Schneider, Heinrich Adam Martin, Statement 02 January 1962 (BArch B 162, Bd. 1309), 474.
members did not make him doubt the righteousness of his action, he gave the reply, “because of my ideological conviction there was no space in my heart for such sentiments.”

As this confession is so atypical it requires evaluation. In this connection, it could be suspected that Schneider’s emphasis on ideology was part of a defence-strategy revolving around seduction by propaganda and indoctrination as the historian Konrad Kwiet has argued. However, given the legal classification of murder motivated by ideological conviction as “base”, such a strategy should be expected to be used only as a last resort. As Schneider in his first interrogation openly admitted to non-ordered murders and also was in tears in this connection, it indicates that this was a genuine confession.

If the callous indifference exhibited in the detailed examples also was tantamount to a deeper hatred of the Jews is difficult to decipher since the perpetrators refrained from voicing the most virulent sentiments when given statement. Consequently, mindset must necessarily be deduced from actions. On this matter, both the excessively cruel choice to burn the Jews alive in the synagogue and the pro-activity displayed by several of the regular and non-commissioned officers when organizing this heinous deed are testament to a high level of anti-Semitism. As several of these men had SS membership and the large majority had a long-dating background within the police, it documents a correlation between degree of participation and indoctrination. Moreover, the fact that victims were beaten with rifle butts when hurdled towards the collection points also warrants attention. While such coarse behaviour might partly have been instrumental in facilitating compliance, it still indicates that some of the perpetrators acted crueler than they potentially could have done in these situations.

As a final point, cruelties such as cutting off the beards of orthodox Jews espoused an anti-Semitic logic that had nothing to do with the requirements of the operation. As the sociologist Michaela Christ notes the beard was central to the Jewish religious identity. In a negative inversion, excessive Jewish hair growth was also a fixture in the Nazi propaganda’s stereotypic portrayal of the Jew as an unwanted element in the German racial community and

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373 Ibid., 472.
375 Note on Schneider’s Interrogation from 2. to 4. January 1962 (LAV NRW R Gerichte Rep. 0247 Bd. 8), 1267. It also significant that Konrad Kwiet’s analysis is not based on Schneider’s original statement but one citation and paraphrasing in an article by Michael Okroy. Compare Kwiet, “Von Tätern zu Befehlsempfängern. Legendenbildung und Strafverfolgung nach 1945”, 130; Okroy, “’Man will unserem Batl. was tun...’ Der Wuppertal Bialystok-Prozeß und die Ermittlungen gegen Angehörige des Polizeibataillons 309”, 113.
contrasted with the depiction of the German body as tonsured and clean.\textsuperscript{376} Although the perpetrators’ awareness of the symbolic meaning of their acts should probably not be overestimated, it is evident in light of these observations that cutting off beards constituted attempts to humiliate and mock the cultural sensibilities of the victims. Such depravities underscore that some of the policemen had internalized and were enacting the Nazi propaganda’s negative stereotype of the Jew regardless of they were aware of it or not.

Although the beard cuttings in Bialystok exhibited a similar function as the mutilations in Xom Lang and Bihn Tay, it is also clear that the nature of the two also differed starkly. While the physical harm deriving from the former was assumedly rather limited, the torture, dismembering, and other depravities which took place in the latter settings constituted more intense and grisly debaucheries. While the policemen from Police Battalion 309 also behaved in a cruel fashion and their acts exhibited a marked degree of Anti-Semitism, they did not mutilate their victims. One possible reason for this revolves around that their enmity towards the victims was not imbued and deeply held at a personal level due to the absence of prior conflictive interaction. Rather, the hostility was more contingent upon the broader ideological fabric which permeated the macro-level context of the War of Annihilation and enhanced by the enforcement of anti-Semitic policies.\textsuperscript{377} The Wuppertal court’s estimation of Buch’s attitude can be regarded as suggestive in this regard, “For him the Jews were not hated, but despised and viewed with indifference”.\textsuperscript{378} In contrast, the frenzied behaviour of some of the men in C Company indicates that they harboured a more visceral hatred towards their victims due to an underlying fear stemming from previous interactions amplified by Medina’s briefing.\textsuperscript{379}

As for the sexual abuse, the occurrences of rapes during the Bialystok massacre were an unexpected finding as such depravities were not positively sanctioned by the Nazi regime. Furthermore, one former policeman even stated that they were explicitly reminded of this prior to the invasion.\textsuperscript{380} However, rapes have also been documented in relation with the Einsatzgruppen,\textsuperscript{381} and despite Heinrich Himmler’s emphasis on keeping the implementation of the exterminatory policy “decent” and free from excesses, they appear to have been a

\textsuperscript{376} Christ, \textit{Die Dynamik des Tötens}, 133-140.
\textsuperscript{377} For the inspiration for this argument see Bloxham, \textit{The Final Solution}, 294.
\textsuperscript{378} Wuppertal Court Judgement 12 March 1968 (LAV NRW R, NW 875, Urteilsband 14012, 4110 E III B. 5489), 64.
\textsuperscript{379} For a discussion which inspired this paragraph see Tomislav Dulić, \textit{Utopias of Nation}, 358.
\textsuperscript{380} Brenner, Peter, Statement 3 December 1962 (LAV NRW R, Gerichte Rep. 0247, Bd. 7), 1120.
\textsuperscript{381} Angrick, \textit{Besatzungspolitik und Massenmord}, 449-450.
common feature in the Eastern territories alongside corruption. On this matter, Buch’s attitude can be seen as emblematic of the official line; while approving organized killings he clamped down on uncoordinated shootings and plundering.

As far as can be determined, sexual abuse was a much more pervasive phenomenon within C Company and predated the massacre. According to the soldier Thomas Partsch, soldiers would even form queues outside huts and await their turn in the villages during patrols. Although a few of the non-commissioned tried to limit these depravities, such attempts were curtailed by the lack of authority and persuasiveness of these men.

**The Intra-Group Dimensions of Perpetration**

While it has been illustrated in the preceding that the perpetrators’ attitudes towards their victims had a causal role in facilitating perpetration, there are also indications that murder and cruelty have a significant intra-group function.

In the case of the My Lai massacre there is testimony supporting that a number of soldiers wanted to kill and appear to have been eager to demonstrate this capability to their peers. Noticeably, when Gary Crossley advanced through Xom Lang, he voiced this wish to Thomas Partsch. However, after shooting a man in the arm, he then found himself unable to complete the murder. In contrast to Crossley, the radio telegraphic operator Frederik Widmer had less problems with fulfilling the act of killing; when trying to explain his motivation for shooting an infant boy at point-blank range, he testified, “I couldn’t tell you exactly how I felt, except to prove to myself that I could kill someone because that was the first time I had ever killed someone.” According to nearby witnesses, he subsequently shouted either, “Did you see me shoot that son of a bitch,” or “did you see that fucker die?” Possibly, Widmer mainly wanted to prove to himself that he could kill, but it appears he also wanted to demonstrate that he could to his peers. In a similar vein, it is indicative that Roschewitz’s “grenade launching” on the women he initially wanted to rape was surrounded

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386 Widmer, Frederick Joseph, Testimony 15 July 1969 (TTU VVA IG), 1005.
by a ring of spectators as if it was a performance, “he was, you might say, running the show of this thing” Dennis Bunning testified.\(^{389}\)

The nearby presence of fellow group members in these examples is conspicuous and it can be argued that such acts constituted attempts at impressing peers and achieve self-enhanced personal status within what can be termed as a “community of violence.”\(^{390}\) In light of this, it is plausible that the underlying reason for the men who wanted to try to kill was to cement their belonging to the professed tough and self-styled masculine part of the company.

Similar to C Company, there also was a segment within Police Battalion 309 who aspired to cultivate a personal image as brutal individuals. In this connection, the Wuppertal court surmised that Wilhelm Schaffrath not only murdered because he despised his victims but also in order to demonstrate his power over life and death and thereby impress his superiors.\(^{391}\) Moreover, indications are that the reason why Friedrich Rondholz arbitrarily executed the Red Amy prisoners who had been lined up against a wall was to send a signal to the platoon leader Heinrich Gorgs. According to statements, Rondholz and Gorgs were fierce rivals as they both aspired for the position as sergeant major in 1st company.\(^{392}\) In this connection, the presiding judge during the first Wuppertal court, Dr. Norbert Simgen, determined that Gorg’s dismay over these killings was not motivated by any sympathy with the prisoners. Instead, he regarded their execution as an intolerable encroachment on his authority and a deliberate provocation as he saw the prisoners as his own.\(^{393}\)

Moreover, the nearby presence of spectators both during Calley’s argument with Hugh Thompson and Behren’s agitation with the Wehrmacht officer also merits attention. When it is also taken into account that Calley returned from the encounter with the words, “He doesn’t like the way I am running the show, but I’m the boss”\(^{394}\), the argument can be presented that both of these officers’ disinclination to stop the killings was motivated by not losing face in front of their men.

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\(^{391}\) Wuppertal Court Judgement 12 March 1968 (LAV NRW R, NW 875, Urteilsband 14012, 4110 E III B. 5489), 101.

\(^{392}\) Darmstadt Court Judgment 25 February 1977 (BArch B 162, Bd. 1321 14247), 3222-3223.

\(^{393}\) Ibid., 3235. (Judge Simgen was called in as witness during this trial).

As the detailed examples from both cases indicate, murder and cruelty can have an intra-group function and be utilized to achieve self-aggrandizement and status enhancing within the perpetrator unit’s social hierarchy in line with Johannes Lang’s emphasis on the perpetrators’ instrumentalization of their victims. As Lang notes, the underlying social-psychological process of this phenomenon revolves around that individuals acting in social groups have a need for belonging but also to differentiate themselves from their peers.\textsuperscript{395} A related explanation is provided by the theory of “over-conformity” which is centred on the tenet that individuals do not merely conform to the social norm within their salient in-group but also compete to enact it.\textsuperscript{396} Accordingly, it can be argued that non-ordered shootings, cruelties, and other forms of victimization served as a medium for the culprits to demonstrate to each other how far they could go in a competitive display. Still, if this aspect can be considered as a causal determinant of or emerged as a “by-product” of victim devaluation is difficult to answer. In any event, the findings indicate that the intra-group dimension of perpetration is a prevalent micro-level aspect of mass violence irrespective of differences in the overall macro-level context.

\textit{Emotional Strain and Obedience}

While it is clear that several of the perpetrators displayed a degree of zeal and even enthusiasm during the massacres there is also evidence supporting that others exhibited mental strain. This makes clear that for some of the men the face-to-face encounters with the victims in the situations of perpetration were ridden with emotional difficulties, and for these individuals there is evidence supporting that obedience had a significant role in facilitating their participation in the atrocities.

In the case of the My Lai massacre, a noticeable example is the squad leader Kenneth Schiel from 2nd platoon who according to the testimony of former soldier Dennis Bunning repeated twice before shooting a group of around eight to ten villagers, “I don’t want to do it, but I have to, because we were ordered to do it”.\textsuperscript{397} Although Schiel chose to remain silent when questioned by the Peers Inquiry,\textsuperscript{398} the fact that Bunning was testifying as a third party

\textsuperscript{395} Lang, “Questioning Dehumanization”, 238-240.
\textsuperscript{396} Turner, “Towards a Cognitive Redefinition of the Social Group”, 21.
gives credence to Schiel’s distress. A similar example of conflicted compliance is the case of Paul Meadlo who several witnesses confirmed was wet with tears as he was firing on the hapless victims in the rice paddy on Calley’s order. As the other present soldiers refused to participate, group-pressure or conformity can be ruled out in this situation. Rather, it was Calley’s proximity that was the determinative cause.

In a similar vein, it can be inferred that not all the men in Police Battalion 309 participated in the killings with enthusiasm. On this matter, it is noteworthy that a strong degree of revulsion in relation with the synagogue fire is exhibited in multiple statements, and several of the former watchmen stated that they were shocked by this depravity and felt misused by their regular and non-commissioned officers. Still, assessing if such abhorrence had actually had a genuinely “moral quality” is a complicated task. However, it is conspicuous that the reactions to the executions in Radom exhibited in the statements were considerably more temperate and restrained. The reason for this is difference is possibly that the way these killings were conducted might have appeared more legitimate in the eyes of the watchmen. Most noticeably, in this regard, is that a verdict was read aloud, and a non-commissioned officer was selected to kill survivors with so-called “mercy shots” all of which stand in stark contrast to the synagogue atrocity. In light of this, the argument could be presented that the distress stemmed from that civilians were not perceived as legitimate targets unlike, at least supposedly, Polish partisans. On the other hand, the difference between the implementation of the synagogue atrocity and the executions in Radom could also indicate that the revulsion emerged as a mere visceral response to the excessively cruel manner in which the killings at the former location were carried out, in line with Daniel Goldhagen’s emphasis.


400 Greiner, War without Fronts, 231.


403 Beiler, Friedrich, Statement 10 September 1963 (BArch B 162 Bd. 1310), 885.
Still, the unusually strong language in several of the statements featuring articulations such as “disgrace”, 404 “simply inhumane”, 405 and “great injustice” 406 does indicate that the revulsion was more than just “aesthetic” and did signify a degree of disapproval. In a very atypical fashion, one of the former watchmen even admitted to having been a dedicated party member since 1931 but emphasized that after having witnessed what took place at the synagogue his political conviction suffered its first blow. 407 When it is also taken into account that the testifiers risked long prison sentences for openly acknowledging that they had participated in this murderous action and some also to have shot, 408 it can be inferred that not all the men within the battalion were eager and zealous perpetrators and their motivation for participating was induced more by the social situation than dispositional proclivities.

When assessing the causal determinants of such conflicted compliancy in the two cases, there is marked difference. With the exception of Meadlo, indications are that the most significant determinant of obedience in the My Lai massacre was Medina’s instructions at the company briefing which some men interpreted as an order to kill all the villagers in Xom Lang. As this perceived order was not given in the actual situation of perpetration it can be classified as “distant”, and with Milgram’s experiment in mind an order of this nature is unlikely to facilitate a high compliancy rate. Still, the awe which Medina was held in appears to have made it influential. This is supported by that Bunning testified what tipped the scale in favour of perpetration in Schiel’s case was that he was trying to make rank and felt that Medina would have disapproved of disobedience. 409 As the commander neither gave a specific order for this execution nor was in close proximity of it, it illustrates the powerful impact that his authority had. In contrast, the absence of proximate orders is supported by that, exempting Calley, none of the officers were giving explicit orders to shoot during the actual massacre. 410 However, an exception to this pattern might have been Varnardo Simpson who testified to the CID that his initiation to murder was triggered by a direct order from

Lieutenant Brooks. Yet, when interviewed by Richard Hammer, he professed that this order came from Lieutenant LaCross and when interviewed again around twenty years after the massacre, he did not recount that he was given a direct order to kill which gives rise to a strong degree of suspicion.

That murderous participation during the My Lai massacre was not induced by proximate instructions from the regular and non-commissioned officers is corroborated by the testimony of Max D. Hutson from 2nd platoon who stated that he participated in the killing of a group of elderly men and women because of the conduct of his peers, “Like I say everybody was firing so I did too.” This explanation exhibits a marked similarity to the admittance of Charles Hutto, from the same platoon, who also was involved in killing a group of villagers, “Well, all I say is that I done like everybody else.” Both extracts indicate that these two killing situations were not instigated by a proximate order.

In contrast to the organization of the My Lai massacre, the sources strongly suggest the implementation of the round-up, the formation of the cordons, and the dividing of the men into lines of shooters were coordinated and supervised by the regular and non-commissioned officers. According to the statements of virtually all the former police men who admitted to an amount of culpability, the close proximity to their superiors was tantamount to a situation of duress. To quote just a few of such articulations, “If one tried to ‘skive off’ you would have been put before a court-martial, as was common”; “for us simple watchmen there was no other option but to carry out orders. One’s own life mattered more back then. If I had refused, I would hardly have been here today to testify on this matter.”

What speaks against these versions is that not a single case involving severe punishment for refusal to disobey an order to kill Jews or other individuals has been documented in the context of Nazi atrocities. In general, indications are that the regime considered it

412 Hammer, “Interview with Mylai Veterans”, 23; Bilton and Sim, Four Hours in My Lai, 7-8, 130-131.
418 Browning, Ordinary Men, 170.
detrimental to apply punitive sanctions in the implementation of exterminatory policies, which were liable to cause emotional strain for the executioners. Heinrich Himmler, himself, was particularly attentive to the psychological effect that the killings had on his men, and while it cannot be extrapolated that all of the police commanders shared this attitude, the absence of draconic disciplinary enforcements indicates that the officer-corps had internalized this concern. These observations confirm that coercion triggers disidentification, and from what is known the Nazi regime understood this in a general sense.

Still, if the watchmen were actually aware that disobedience would not be negatively sanctioned cannot be determined with absolutely certitude, especially, when it is taken into consideration that the Bialystok massacre happened at the very earliest stage of the extermination process in German-occupied Soviet Union. While it is difficult to be conclusive on this matter, it does merits attention that for the six men who were convicted as abettors to murder for their role in the synagogue killings the Wuppertal court refuted the duress argument:

A real, or otherwise explicit, threat to their lives was not necessary to make them comply to the orders, and they also did not believe that the orders implied the tacit threat that in case of refusal the subordinate would be executed. The accused carried out the order with obstinate obedience, because they neither had the courage to resist nor were intelligent enough to figure out a way to evade.

Combined with the fact that none of the statements indicate that objections or request for reliefs were voiced by the policemen, the court's emphasis on the lack of courage suggests that conformity was a significant determinant of obedience given the collective nature of this operation. Another related explanation is careerism. Whereas Christopher Browning documented that the men within Reserve Police Battalion 101 who asked to be exempted from the killings were not career policemen, the fact that Police Battalion 309 was comprised of younger volunteers potentially explains the stronger inclination not to step out within this unit.

When it comes to claims of protests, the situation is different when it comes to the face-to-face killings at the shooting sites in Bialystok. In this connection, Herbert Zurhorst from 1st company claimed to have complained when he was assigned to a shooting squadron but after

419 Matthäus, “Controlled Escalation”, 229.
420 Wuppertal Court Judgement 12 March 1968 (LAV NRW R, NW 875, Urteilsband 14012, 4110 E III B. 5489), 68.
421 Browning, Ordinary Men, 75-76.
having been rebuked by the sergeant major Karl Carpentier, he shot the Russian prisoner he was paired off with.\textsuperscript{422} “after this I was completely emotionally broken,” the perpetrator stated in retrospect.\textsuperscript{423} That Zurhorst was in a state of mental distress is given credence by a third-party account: according to Bernhard Asselmann, who served in the same platoon, Zurhorst expressed a few days after the massacre that he considered himself fortunate not also to have been assigned to one of the shooting squadrons which was tasked with killing Jews.\textsuperscript{424}

On the other hand, however, Carpentier admitted during his interrogation to have disseminated an shooting order to Zurhorst but did not state that any protest was voiced.\textsuperscript{425} Due to the absence of any cooperating sources it therefore cannot be ruled out that the latter's complaint was a exculpatory addition, but the immediacy of a superior in this situation does indicate a causally significant correlation between the proximity of authority and obedience. Such an argument is also substantiated by the statement of the former watchman Otto Becker who vividly described how a Jewish doctor was begging him to be released during the escorting to the execution site. According to Becker, he had to ignore these pleas, however, as his platoon leader was walking nearby.\textsuperscript{426}

In contrast, when not under direct supervision of their superiors some of the former watchmen claimed to have evaded their assigned tasks.\textsuperscript{427} This is most noticeable in relation with the search of the Jewish apartments. Emblematic, in this regard, is the statement of August Mesecke, who served in 3rd company:

> During the very thoroughly carried out search, I entered a house; there I discovered a hidden door, behind which a Jewish family was hiding. After I had explained that the police was searching for Jewish men, a Rabbi desperately implored me not to take him away. In order to persuade me, he offered me a briefcase and jewelry. I declined to receive any of these goods and informed him that I would tell not to have heard or seen anything.\textsuperscript{428}

If this account can be attributed credibility, it confirms the correlation between the distance of the authority and disobedience which was a significant variable in Milgram’s experiment. However, two observations testify to its improbability: firstly, Mesecke claimed

\textsuperscript{422} Zurhorst, Herbert, Statement 12 April 1962 (BArch B 162 Bd. 1308), 318-319.
\textsuperscript{423} Ibid., 1319.
\textsuperscript{424} Asselmann, Bernhard, Statement 16 September 1960 (LAV NRW R, Gerichte Rep. 0247, Bd. 3), 347.
\textsuperscript{425} Carpentier, Karl, Statement 20 January 1966 (LAV NRW R, Gerichte Rep. 0247, Bd. 16), 118.
\textsuperscript{428} Mesecke, August Adolf, Statement 31 January 1961 (LAV NRW R, Gerichte Rep. 0247, Bd. 4), 513.
to have conducted the search on his own which deviates from the operation’s organizational pattern. Secondly, there appears to be marked contradiction between his claim of searching very thoroughly and his subsequent benevolent behaviour towards the Rabbi. For an account on a similar situation which is more plausible, the statement by the former watchman Philip Hermann is material. According to this man, he and a fellow squad member feared that it would have been too conspicuous if they returned empty-handed from the searches, and they therefore tacitly decided to leave some Jews in their apartments and take others with them.429

All in all, the detailed examples suggest the close proximity between deliverers and recipients of orders integral to the organization of the violence in Bialystok was causally determinative of the obedience social mechanism. In contrast, indications are that murderous participation was less compulsory during the My Lai massacre due to the more turbid progression and disorganized implementation of this atrocity. This provide an important cue for explaining a noticeable different between the two cases: the amount of abstainers.

**The Abstainers and Positive/Negative Sanctioning**

Following extensive investigation, the CID determined that a total of 44 out of 99 soldiers from C Company had committed murder while the remainder had not. With the base line variation of Milgram’s experiment in mind, this is in fact a relatively high number of abstainers. While any attempt at a similar quantification of the numbers within PB 309 stumbles in the face of the more limited findings of the Wuppertal court, Wilhelm Leinemann’s remark that all of the men who formed the inner cordon around the synagogue were shooting can be considered instructive.

An explanation for the disparity between the numbers of abstainers is that the killings in Xom Lang were not contingent upon a stringent dissemination of orders by the regular and non-commissioned officers. This is corroborated by two men who testified that they did not have to shoot, “If you didn’t want to shoot the person, you didn’t have to,”430 Thomas Partsch from 2nd platoon stated. Harry Stanley from 1st platoon made a similar point, “The ones that wanted to kill was [sic] killing. The ones that didn’t want to kill weren’t.”431 With this facet in mind, the interpretation can be made that it was relatively easy for the disinclined soldiers to

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429 Herrmann, Philip Karl, Statement 9 May 1963 (LAV NRW R, Gerichte Rep. 0247, Bd. 9), 1558.
hold back and confine themselves to the role of onlookers while their more aggressive comrades took the lead and killed together. The exception to this pattern was at the rice paddy and irrigation ditch where it is not to debate that Calley attempted to induce participation through compliance. As these mass executions resembled the killings in Bialystok to a degree, the comparatively higher number of evaders in the formers can be considered perplexing. Given that virtually all of the abstaining soldiers came from the lower strata of society, it disconfirms a correlation between low education level and an increased proclivity for obedience in these situations.\textsuperscript{432} Instead, two determinants of disobedience in the My Lai massacre will be highlighted.

The first is specific to the situations at the rice paddy and irrigation ditch and revolves around that in the eyes of virtually all the soldiers, Calley did not represent a very strong authority. While some confided themselves to comment on his inadequate leadership abilities,\textsuperscript{433} for others he was an object of outright scorn and derision due his toady behaviour towards Medina paralleled by pretentious attempts to appear tough.\textsuperscript{434} Accordingly, Calley’s failure to embody legitimate authority was significant in facilitating dissent. His lack of persuasive power is particular illustrated by the fact that he had to recourse to threats in an attempt to exert compliance. That this conduct did not have the desired effect supports that coercion triggers resistance.

The second causal determinant of disobedience pertains to the differences in the level of negative sanction between the two cases at the macro level. While both the respective laws of the Order Police and the American army in theory negatively sanctioned obedience to criminal orders, there is a stark contrast between the radical tones of the Barbarossa Decree, and the fact that upon arrival in Vietnam American soldiers were issued pocket guides emphasizing the importance of maintaining cordial relation with the local Vietnamese population. Considering this difference, it is plausible that what constituted criminal was


subjectively more muddied for soldiers and policemen taken part in Nazi Germany’s “War of Annihilation” than for American soldiers on duty in Vietnam. Most pertinently, the issuing of the Commissar Order and the Barbarossa Decree did not constitute the first step on a gradually erosion of international law. Rather, they constituted a flagrant flouting of it. In contrast, international legal standards were not stymied in the American army in such a blatant manner as in the Wehrmacht and the Order Police as illustrated by the continuous stress on minimizing non-combatant casualties in MACV directives.

This difference is also pertinent to the conduct of the senior officers at what can be termed as the military meso-level. In this connection, it is conspicuous that less than an hour after the C Company's arrival at the landing zone west of Xom Lang, the recording of (false) figures on enemy kills and their reporting to higher headquarters stopped. While it is unclear if this cessation was a result of Medina's discovery that the inhabitants were not armed VC insurgents, the Peers Inquiry did find indications that the captain, in fact, continued to report dead enemy soldiers, but that the recording of these figures was stopped by Barker possibly “to avoid attracting undue attention to C Company's actions in My Lai 4”. This underlines that the growing knowledge of killings of unarmed civilians triggered a fear of negative sanctions. In contrast, the fact that the Bialystok massacre was conducted in plain view of General Pflugbeil underlines that Major Weis and the upper officers in the battalion did not have such concerns. Furthermore, although there is degree of similarity between the opposition displayed by Warrant Officer Hugh Thompson and the conduct of some of the Wehrmacht officers in Bialystok, a significant disparity is General Pflugbeil’s passivity and Colonel Henderson’s instructions to avoid unnecessary killings which illustrates that the killings in Bialystok to a larger extent correlated with the intentions of the higher authorities.

Still, despite of such differences it is clear that the distinction between legal and illegal had also become murky for American soldiers in Vietnam. The Peers inquiry noted that the training C Company had received on the illegality of orders was insufficient. Moreover, because of the highly incriminating nature of his statement to the IG, it can be inferred that Paul Meadlo’s astonishment was sincere when notified that he had committed a crime by complying to Calley’s order:

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A. [Meadlo] How did I do that by just following orders? Who am I to question orders when the rank is higher than me? Q. [Wilson] An execution--we get into other legal cases--is not a legal order. [...] A. [Meadlo] I’d like to ask you a question. Can you really get me for anything like that or for killing people when I was just following orders?437

However, while some soldiers expressed themselves similarly to Meadlo,438 other testimonies indicate that lining defenceless people up and shooting them down invoked criminal associations and galvanized the conviction that orders to this effect could not be legal. On this matter, an extract from James Dursi’s testimony relating to his thought-process at the irrigation ditch is instructive:

While you're in the service, you're taught to obey an order, and later on contest whether it’s legal or not legal. You can get into an awful lot of trouble for disobeying one. But at the time, I myself tossed it around in my mind there at that ditch, and I said to myself it had to be wrong. I figured even if I went before a court-martial for disobeying an order, nobody could convict me for anything because it was actually shooting unarmed civilians. I felt that I couldn’t be punished in any way for not killing somebody if they weren’t out to kill somebody else or cause somebody in my company to be killed.439

The fact that Police Battalion 309 was part of an organization which had organized mass shootings as an institutionalized component of its conduct in the occupied territories I find provides part of the answer to why orders to this effect were not met with refusal amongst its servicemen in contrast to what happened at the rice paddy and irrigation ditch in Xom Lang. In this connection, it is noteworthy that already in Radom the battalion had shot Poles and that these executions were organized in a similar fashion as the synagogue action in Bialystok with the formation of cordons around the victims in order to prevent escape.440 Despite the war crimes committed by the American military in Vietnam, organized mass killings were not an institutionalized policy. In light of this, the position taken is that the policemen were more attuned than the soldiers in C Company to comply to orders involving mass killings. To end

437 Meadlo, Paul D., Testimony 16 July 1969 (TTU VVA IG), 1013.
440 Beiler, Friedrich, Statement 10 September 1963 (BArch B 162 Bd. 1310), 884-885.
with a suggestive extract from James Dursi’s testimony, “when they were all just lined up and shot like that, it reminded me of newsreels of Hitler.”\textsuperscript{441}

Conclusion

Any attempts at analytical grasping the underlying causal mechanisms which guide human naturally present a convoluted affair which is why the epistemology of this study is a heuristic approach. Nevertheless, I find that relevant findings still have been made.

In general, the analysis has supported the prediction that the macro-level context had considerable impact on the implementations of the killings at the micro level and facilitated distinctive organizations and perpetrator behavioural patterns. Still, the causal determinants of the social mechanisms also exhibit commonalities. In relation to victim devaluation, a significant similarity between both cases was the collective categorization of the victim groups as part of the enemy category. However, also in this connection contextual factors mediated this determinant in dissimilar fashions. Most importantly, whereas the categorization of the Jews as representatives of Bolshevism was total, the American soldiers’ categorization of the Vietnamese as VC supporters was confined to the local villagers in the operational zones. At the same time, the Bolshevist-Jewish equation was divorced from empirical reality and was to a large degree contingent upon radical mediations from “above” encapsulated in decrees and disseminated through indoctrination, whereas the perception of the local Vietnamese villagers was initially benign but gradually took a negative form due to the casualties which the company sustained, and the disinclination of some villagers to warn against mine-field and booby traps. The testimonies support that this disinclination became representative of all villagers in the operational zones and undergirded their uniform categorization as active VC supporters in a manner similar to the Jewish-Bolshevik equation.

The different origins of victim devaluation also explains the differentiated behavioural perpetrator patterns. Whereas the categorization of the local villagers as VC supporters was based on prior interaction, the absence of such interaction in the case of Police Battalion 309 explains why the overall security rationale of the massacre in Bialystok was more likely a pretext than its main determinant. In this connection, the anti-Semitic leanings of the officers within the battalion were more significant. On the other hand, although the analysis has demonstrated that the behaviour of several of the policemen was definitely cruel, it has also been argued that their hatred towards their victims was not visceral and deeply held at a personal level. In this connection, the mutilations in Xom Lang indicate a stronger degree of scorn which potentially stemmed from an underlying fear of the victims. Still, as it was
difficult to reconcile the security fears with the killing of infants, the argument has been presented that this dissonance paved the way for ideological notions such as babies growing up to become enemies.

In one respect, however, the case studies exhibit a clear similarity in so far as there was a segment of men in both perpetrator groups who were eager to demonstrate their “toughness” to their peers through killing and other depravities in line with Johannes Lang’s notion of the instrumentalization of the victims. Whether these behavioural patterns were actually determinative of the victims’ devaluation has been difficult to discern, however. Thus, I would argue that more research is needed in order to provide satisfactory answers to this question. Still, the findings support that this intra-group aspect of perpetration was less contingent upon the macro level context than the immediate micro-level social circumstances.

The study has also shown that victim devaluation was not an independent cause of the two massacres as orders had a role in both of them. As for the causal determinants of obedience to authority there is no substantial evidence which document that coercion or duress was one of them. Still, the findings confirm that this mechanism was influential for some individuals as illustrated by the presence of emotional strain within both perpetrator groups. At the same time, however, the determinants were different. In the case of the My Lai massacre, Medina’s briefing prior to the atrocity had significant relevance as some of the men interpreted his instructions as implying the killing of all inhabitants. In contrast, it has been argued that obedience was more contingent upon the organization of the violence in Bialystok. In light of the close proximity between the deliverers and recipients of orders embedded in the implementation of this massacre, the interpretation has been made that steeping out would have required the watchmen to approach the officers in the respective situations. The lack of such occurrences has been explained with conformity and career concerns, which alongside positive sanctioning I find were the most significant determinants of obedience during the Bialystok massacre.

In contrast to the organization of the killings in Bialystok, the My Lai massacre was implemented in a less linear and more frenetic fashion, and it has been argued that this facet left a broader scope for evasion. This disparity also provides a cue to understanding an important difference at the macro-level level between the two cases. While the massacre in Bialystok was rather unorganized compared to later massacre in the German-occupied Soviet Union, implemented by the Nazi regime’s security units, it still involved gender- and age selective targeting, followed by concentrating and separating of the Poles from the Jews, and,
annihilation at different killing sites. In contrast, the taking of detainees in Xom Lang emerged as a spontaneous contingency triggered by the belief that the villagers would be questioned as was standard procedure. This reveals that different “intentions” permeated the overall contexts. Correspondingly, this disparity also points towards the influence of the higher level of negative sanction embedded in American warfare in Vietnam which in turn constitutes part of the explanation for the divergence in the number of abstainers within the two perpetrator units. More precisely, this study documents that there is a correlation between negative sanctioning at the macro level and disobedience at the micro level; a finding which has relevance for the prevention discourse as it demonstrates that overarching international law can have an impact although it has been also been argued that “local” factors such as lieutenant Calley’s lack of authority also played a role in facilitating dissent.

As a final point, any broader insight which can be gained on the basis of two case studies is limited. Accordingly, the hope is that this study can contribute to advance a new research agenda within perpetrator study. Compared to single case perpetrator studies, I find that the comparative approach has several advantages. Through contrasting, it is possible to increase the insight on perpetration and discern why perpetrators display different behavioural patterns. Perhaps most significantly, comparisons can aid in explaining disparities between the number of abstainers between cases and elucidate the role the macro-level context has in this connection. As a way to reach new insights, the judicial proceedings pertaining to the International Court Tribunals of the former Yugoslavia and Rwanda have resulted in the existence of a ample primary source material which could be envisaged as useful for future comparative studies on the social mechanisms of perpetration.
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